Ingredient Disclosure for FIFRA-Regulated Products

Presentation to SFIREG
June 5, 2018
FIFRA protects against the disclosure of commercial or financial information on registered pesticides.

However, some retailers and one state (CA -SB 258) are requiring product manufacturers to include ingredients traditionally treated as confidential on product labels and/or their websites.
Our Asks

• **Form a workgroup:**
  EPA, State Agency, Industry and Stakeholders find a resolution by **Fall 2018**

• **Assess state agency resources:**
  There are thousands of labels that can be impacted. How will these be processed in an efficient manner?
# Ingredient Listing Initiatives

## Scope
- Cleaners: Yes
- FIFRA: Yes
- Personal Care: Yes
- Antimicrobials: No
- Anti + Pest: Yes

## Timing
- On-Line: Jan 2020
- On-Label: Jan 2021 (n/a for FIFRA)
- Start Jan 2018
Walmart expects suppliers to list ingredients using one of the following on-pack options:

- Chemicals on California SB 258 designated list
- Full Listing (i.e., all intentionally added ingredients)

Suppliers are expected to begin on-pack listing starting in 2018, but only as registrants update labels.

Industry needs EPA and state agreement on outstanding issues before labels can be submitted for EPA review.
Registration submission pathway:
Are registrants obligated to submit ingredient(s) in advance of registrant-initiated label changes? If so, then how?

Location/Font Size on label:
Since ingredient labeling outside the ingredient statement is voluntary, will EPA allow registrants discretion in location and size?

Nomenclature for ingredients:
Flexibility is needed to protect commercial information per FIFRA Section 10.

Scope of ingredient disclosure:
Registrants need discretion to choose partial or full disclosure to protect commercial information.
Companies may want to voluntarily update labels to comply in advance of other label changes. For those companies, EPA direction is needed.
Location of the list of ingredients and font size should be at company’s discretion:

• Label real estate is at a premium

• Issue: Is on-label listing of inert ingredients in response to retailer/states subject to FIFRA labeling requirements (40 CFR Part 156)?

Ingredient disclosure outside of FIFRA elements
Nomenclature for Ingredients

For consumer understanding and transparency, and protection of commercial information, companies need flexibility in nomenclature for public-facing disclosure and CSFs.

Nomenclature used should not be subject to misbranding EPA or state enforcement

Use of CA SB 258 options (“hierarchy”) as the model:
Registrant has ability to use any of the options

- Household & Commercial Products Association Consumer Product Ingredients Dictionary (HCPA Dictionary); OR
- International Nomenclature of Cosmetic Ingredients (INCI); OR
- International Union of Pure and Applied Chemistry nomenclature (IUPAC); OR
- Chemical Abstracts Index name; OR
- Common Chemical Name
The choice to disclose all ingredients or only priority chemicals identified by Walmart or future retailers should be up to registrants:

- Full disclosure may not be practical due to label real estate
- No binding regulation that registrants must list all inerts if one ingredient is disclosed
## Options: Chemicals of Concern or Full Disclosure

**Disclosure only of chemicals on SB 258 designated lists**

**Full ingredient disclosure per SB 258 requirements**

<table>
<thead>
<tr>
<th>SB-258 Option #1 - Label</th>
<th>SB-258 Option #2 - Label</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonionic Surfactant (Current Label)</td>
<td>Water</td>
</tr>
<tr>
<td>* Butylphenyl Methylpropional</td>
<td>C10 Alcohol Ethoxylate</td>
</tr>
<tr>
<td>* Citral</td>
<td>Colorant</td>
</tr>
<tr>
<td>* Citronellol</td>
<td>Fragrance</td>
</tr>
<tr>
<td>* d-Limonene</td>
<td>Hydroxyethylcellulose</td>
</tr>
<tr>
<td>* Geraniol</td>
<td>Sodium Carbonate</td>
</tr>
<tr>
<td>* Hexyl Cinnamal</td>
<td>Sodium Lauryl Sulfate</td>
</tr>
<tr>
<td></td>
<td>“Contains fragrance allergen(s)”</td>
</tr>
</tbody>
</table>
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QUESTIONS?