MEMORANDUM OF SUPPORT

Ban 1,4-Dioxane in Consumer Products

A. 6295A – Englebright

S.4389B – Kaminsky

An ACT to amend the environmental conservation law, in relation to prohibiting the sale of cosmetics, cleaning products, or personal care products containing 1,4-dioxane

BACKGROUND

1,4-Dioxane is a hidden carcinogen lurking in everyday products. CCE hired a NYS certified laboratory to conduct independent testing on common household products, and 1,4-dioxane was found in more than 80% of personal care and cleaning products tested, including baby products, shampoos, body wash, and laundry detergents.

Exposure to 1,4-dioxane occurs through inhalation, swallowing contaminated water, or through skin absorption. The EPA has established that 1,4-dioxane is likely to be carcinogenic to humans. Exposure to this chemical is linked to tumors of the liver, gallbladder, nasal cavity, lung, skin, and breast. Of the 4,400 water supply systems tested nationwide by the EPA, Long Island has the highest levels of 1,4-dioxane detection, with some water systems in both Nassau and Suffolk containing levels over 100 times the EPA’s cancer risk guideline of 0.35 ppb. New York State is currently considering a drinking water standard for 1,4-dioxane of 1ppb.

JUSTIFICATION

1,4-Dioxane is not added to products as an ingredient and it does not enhance the effectiveness of a product, but rather it occurs as an unwanted byproduct. It results from a process called ethoxylation, which is used to reduce the risk of skin irritation caused by petroleum based ingredients. Manufacturers can remove 1,4-dioxane from products cheaply and easily. The FDA recommends manufacturers remove the chemical, but unfortunately many do not take this critical step. This legislation would require manufacturers of personal care product, cosmetics, and cleaning products to remove 1,4-dioxane from products to protect public health and the drinking water.

SUMMARY OF KEY PROVISIONS

- Prohibit the sale of personal care products and cleansing products containing 1,4-dioxane (e.g. soaps, shampoos, detergents, cleaning agents), other than trace amounts that shall not exceed 2ppm by 2023 and 1ppm by 2024.
- Beginning May of 2025 and every 2 years thereafter, DEC (in consultation with DOH) can reduce allowable trace concentrations to better protect human health and the environment.
- Prohibit the sale of cosmetics that contain 1,4-dioxane, other than trace amounts that shall not exceed 10ppm by 2023.
- Allows manufacturers to apply to the Department for a one-year waiver, followed by one more one year waiver.

CITIZENS CAMPAIGN FOR THE ENVIRONMENT SUPPORTS

A.6295A/S.4389B – Ban 1,4-Dioxane in Consumer Products

CCE is an 80,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the natural environment

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