



# **Coming Clean on Cleansers**

**Ingredient Disclosure by Five  
Leading Cleaning Product Makers**

September 2020

**CLEAN &  
HEALTHY  
NEW YORK**

# ACKNOWLEDGEMENT

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## WITH GRATITUDE:

This report was made possible by support from the Park Foundation, the Marisla Foundation, the Passport Foundation and individual donors.

*This report assesses the overall status of compliance with California law and New York State recommendations by looking at five large companies, based on information available online in February, March, July and August 2020. It is not a complete review of ingredient disclosure by all cleaning product manufacturers. The report is intended to inform corporate, government, and individual actions. We do not claim that any chemical of concern in any product will cause any specific health outcome for any particular individual. \*Reviewed for accuracy.*

# CONTENTS

- 3 Executive Summary
- 5 Introduction
- 12 What We Did
- 14 What We Found
- 18 Recommendations
- 20 Appendix A:  
List of California Chemicals of Concern
- 23 Appendix B:  
Additional Lists of Chemicals of Concern Identified by NYS Best Management Practices
- 24 Appendix C:  
Globally Harmonized System of Hazard Characteristics
- 25 Appendix D:  
Detailed Methods
- 27 Appendix E:  
Products Surveyed
- 29 Appendix F:  
Corporate Responses to CHNY's Inquiries and Findings
- 30 Appendix G:  
Endnotes





# EXECUTIVE SUMMARY

Cleaning products are designed to help people keep their homes, clothes, dishes and other objects clean. But what happens when these products contain chemicals that could harm someone's health, or the environment? And what if you don't get to know? Until New York State (NYS) and California (CA) took two different paths to arrive at the same solution – disclosure of chemicals in cleaning products – that is precisely the situation in which Americans have been.

Studies show that working as a professional cleaner, or even cleaning one's home weekly, can harm a person's lungs over their lifetime equivalent to the harm from smoking a pack of cigarettes a day. We need to know which chemicals are present in our laundry detergent, dish washing pods, air fresheners, bathroom tile cleaners, and more, in order to make healthy choices for ourselves, our families, and our workplaces.

In January 2020, California's recent law (SB 258) started going into effect, requiring companies selling home and commercial cleaning products for dishes, fabrics, food utensils and premises, automotive products, air fresheners, floor polishers, and disinfectants sold in stores or online in the state to disclose:

- All intentionally-added ingredients, with their function, and whether chemicals in the product appear on any of 22 authoritative lists as chemicals of concern to the state of California (see Appendix A), or are fragrance allergens present at levels 100 parts per million or more, with links to CA list of "Designated Chemicals."
- Any of 33 chemicals of concern when they are present as byproducts or contaminants pre-

sent at 100 parts per million or more, and 1,4 dioxane when present at or above 10 ppm.

- Safety Data Sheets for the product.

Companies must include chemical ingredient information on labels as of January 1, 2021.

Starting in January 2023, companies must disclose by product chemicals appear on CA Proposition 65 list of chemicals identified as causing cancer or reproductive harm. However, products remain subject to Proposition 65's warning requirements at all times.

New York State issued Guidance on its longstanding cleaning product regulations in 2018. A court ruling determined that NYS must issue a new regulation and not simply guidance on how to implement its law, which it is now doing. In the interim, the prior guidance remains a reflection of the current Best Management Practices (BMP). These BMPs exceed CA legal requirements by:

- Adding additional lists of chemicals of concern, most critically the list of asthmagens determined by the Association of Occupational and Environmental Clinics (AOEC).
- Directing disclosure of the identity of chemicals of concern along with their associated hazards. CA requires chemicals of concern and chemical hazards to be identified but does not require the associated hazard to be specifically linked to the chemical.
- Lowering the thresholds for disclosure of by-products and contaminants that are chemicals of concern to well below 100 parts per million.
- Including a statement acknowledging the level of disclosure (are any chemical names with-

held as confidential? Are contaminants of concern disclosed? To what extent are fragrance ingredients disclosed?).

- Providing information about each product’s Globally Harmonized Systems hazards.

**What are companies disclosing?** To understand this, we selected five significant companies that make cleaning products, and selected 20 products from each company to see if we could find ingredient information, and if so, to what extent companies are meeting current California legal requirements, their scheduled phase-in requirements, and New York State’s Best Management Practices.

**The good news** is that these five companies are substantially meeting CA SB 258, and some have adopted additional features recommended by the NYS Best Management Practices.

The less good news is that **without binding regulation, some vital features of NYS Best Management Practices have not been adopted**, which leaves consumers still without the full information they need to make informed choices, and companies without the ability to fully understand the health ramifications of purchasing cleaning products that employees will use.

**Table 1. Summary of scores by company**

	Clorox	Colgate Palmolive	P&G	RB	Seventh Generation
Meeting current CA reporting requirements	80%	58%	99.5%	97%	100%
Implementing 2023 CA requirements for Prop 65	50%	0%	0%	100%	100%
Incorporating NYS Best Management Practices	13%	11%	0%	38%	50%
<b>TOTAL RATING</b>	<b>47%</b>	<b>35%</b>	<b>52%</b>	<b>72%</b>	<b>79%</b>

# INTRODUCTION

What's in your cleaning product? There is evidence that, while removing dirt, some ingredients add other hazards to people and the environment. One study of over 6,000 people found that using cleaning products once a week or more over 20 years reduced the lung function of participants as equal to smoking a pack of cigarettes a day for the same length of time.<sup>1</sup> Chemicals in cleaning products can contribute to water pollution, are respiratory irritants, can cause asthma and trigger episodes, and even contribute to long-term likelihood of cancer.<sup>2</sup> Some of these chemicals are added intentionally. Some, like formaldehyde and 1,4-dioxane, are created during the manufacturing process or due to ongoing chemical reactions after the final product is packaged.

There is no federal law requiring cleaning product makers to tell consumers exactly what is in the products they sell. In recent years, New York State

and California stepped into the gap to ensure public disclosure of cleaning product ingredients.

In New York, advocates prompted action by the state Department of Environmental Conservation using a long-overlooked state law - passed in 1971 to address phosphorous water pollution - which granted the agency legal authority to order disclosure of cleaning product ingredients and remove those containing harmful chemicals from the marketplace.

In California, legal authority was required, and in 2017, the legislature passed a new law, SB 258.<sup>3</sup>

On January 1, 2020 legal reporting requirements started going into effect under California law. New York State's reporting requirements must move through a formal regulatory process to have the effect of law, but the State has provided Best Management Practices to consider while those regulations are being developed.<sup>4</sup> This report surveys how certain major companies have responded to these policies, how completely they are disclosing ingredients, and whether

they are meeting - or exceeding - legal requirements to give consumers robust understanding of the chemicals in their products.



# A BRIEF HISTORY

## NEW YORK STATE CLEANSING PRODUCT INGREDIENT DISCLOSURE

Water pollution was a major problem in the 1960s. In 1971, to address a major source of phosphorous water pollution, New York State (NYS) enacted legislation to ban phosphorus as an ingredient in cleaning products.<sup>5</sup> This law became Article 35 of state Environmental Conservation Law. In addition to setting limits on phosphorus, Article 35 grants that New York State “fully exercises the exclusive right to regulate and control the labelling and ingredients of household cleaning products distributed, sold, offered, or exposed for sale in this state.”

Article 35 authorized the Department of Environmental Conservation (DEC) to promulgate regulations that require manufacturers of household cleaning products sold in New York State to provide information about their products and make those records available to the public. Article 35 also authorized DEC to restrict the use of harmful ingredients. DEC issued regulations 6 NYCRR Part 659 in 1976.<sup>6</sup>

Subpart 659.6 included criteria for product ingredient disclosure, stating that “Manufacturers of household cleansing products distributed, sold or offered for sale in this State shall furnish to the commissioner for public record such information regarding such products as the commissioner

may require, in such form as may be prescribed by the commissioner.”

The agency determined that the law covers the following kinds of cleaning products:

- Bleach (Non-FIFRA regulated)
- Cleaners
- Descalers
- Dish Cleaning/Care –for dishwasher and hand washing
- Drain Treatments/Pipe Unblockers
- Food Treatments

**Under New York State law, "Household cleansing product" means any product, including but not limited to soaps and detergents, containing a surfactant as a wetting or dirt emulsifying agent and used primarily for domestic or commercial cleaning purposes, including but not limited to, the cleansing of fabrics, dishes, food utensils and household and commercial premises.**

**“Household cleansing product” shall not mean foods, drugs, cosmetics, insecticides, fungicides and rodenticides or cleansing products used primarily in industrial manufacturing, production and assembling processes as provided by the commissioner by rule and regulation.”**

- Stain Removers
- Surface Cleaners
- Toilet Cleaning Products
- Laundry products (detergent, boosters, bleaches, fabric protectors)
- Dry cleaning solutions

It does not include air fresheners, which do not contain a surfactant, or products used only as disinfectants (as products manufactured only to kill bacteria and viruses are considered pesticides and are exempted under the law).

## IMPLEMENTATION

The regulation was not enforced, and companies were not disclosing ingredients to DEC. In 2008, advocates notified a number of major cleaning product manufacturers of their legal obligation to disclose ingredients to DEC. A few complied, but most did not.

As a result, advocates filed an Article 78 petition to force companies to disclose. The case did not move forward after companies agreed to comply if the state provided guidance on reporting requirements. DEC agreed to provide guidance, and convened meetings in 2010 and 2011 with representatives of cleaning companies, public health and environmental advocates. It took several years to draft guidance explaining how companies should disclose ingredient information based on the input from the 2010 and 2011 meetings.

In April 2017, DEC formally released their draft, and opened a public comment period. At the request of cleaning product makers, DEC extended the comment period, and then held another round of stakeholder discussion in the fall of 2017.

It was during this time that cleaning product makers requested an extension to the public comment period in New York, all the while pushing hard to negotiate, pass, and enact SB 258 in California. DEC issued its final Guidance on June 6, 2018.

Cleaning product trade associations still objected to certain stringent provisions, and sued the state, resulting in an August 2019 court decision that the policy could not be enforced without following the State Administrative Procedures Act (SAPA) and issuing regulations (instead of the Guidance). In the interim, the continued to provide Best Management Practices to guide voluntary cleaning product disclosure, while DEC proceeds with the new regulatory process, now underway.

## NEW YORK STATE'S BEST MANAGEMENT PRACTICES

DEC crafted specific sections of the Guidance – now published as Best Management Practices – to ensure visitors to corporate websites could find ingredient information and compare it between brands, to ensure the information would be available to people with vision challenges, and could be gathered by a third party (“machine readable”).

DEC created definitions of “nonfunctional ingredient,” “nonfunctional byproduct,” and “non-functional contaminant,” to delineate chemicals that are present in cleaning products beyond those that manufacturers mix together to make the product. They are as follows:

“Nonfunctional ingredient” means an ingredient, impurity, or contaminant present in a covered product as an unintentional consequence of manufacturing and which has no functional or technical effect on the finished product. The term includes two mutually exclusive subcategories:

- 1) “Nonfunctional byproduct” is a chemical which
  - (a) was added during the manufacturing process at any point in a product, a raw material, or an ingredient’s supply chain, but which has no functional or technical effect in the finished product, or
  - (b) was created or formed during the manufacturing process at any point in a product, a raw material, or an ingredient’s sup-

ply chain, but which has no functional or technical effect in the finished product. It includes, but is not limited to an unreacted raw material, a breakdown product of an intentionally added ingredient or a byproduct of the manufacturing process. Examples include carcinogenic 1,4 dioxane and formaldehyde.

- 2) “Nonfunctional contaminant” is a chemical present in the environment as a contaminant which was introduced into a product, a raw material, or a product ingredient at any point in a product, a raw material, or an ingredient’s supply chain, as a result of the use of an environmental medium, such as a naturally occurring mineral, air, soil or water, in the manufacturing process. For example, asbestos is sometimes naturally occurring in talc.

In addition to delineating the information to disclose about chemical contents, **DEC recommends that manufacturers disclose to what extent they are disclosing.** They developed a consistent format for this, distinguishing between fragrance and non-fragrance ingredients:

Non-fragrance ingredients:

1. Full disclosure of all intentionally added ingredients and nonfunctional ingredients if present on a list of chemicals of concern
2. Full disclosure of intentionally added ingredients only
3. Partial disclosure of intentionally added ingredients—one or more ingredients is withheld as Confidential Business Information (CBI)

Fragrance ingredients:

1. Full disclosure of all fragrance ingredients
2. Partial disclosure of fragrances, with a master list of those ingredients provided
3. Partial disclosure of fragrances, no master list provided
4. No disclosure of fragrances, mas-

ter list provided

5. No disclosure of fragrances, no master list

Following the Best Management Practices, companies should indicate on each page listing ingredients just how transparent they are being. This creates a mechanism for website visitors to compare companies – not just based on the ingredients listed, but on how complete that listing is.

For each product, DEC advises that manufacturers disclose the following:

- Manufacturer name
- Product name
- Product description
- The extent of disclosure as described above
- Ingredients, listed in order by percentage of content by weight, starting with the highest. Below 1% of the product, chemicals may be listed in any order
- Chemical name and Chemical Abstract Services Number (CAS number), or generic name if manufacturer claims the specific chemical is Confidential Business Information
- Presence on a list of Chemicals of Concern, indicated with “COC” or “Chemicals of Concern” or the name of the list on which the chemical appears
- If the chemical is present at a nanoscale
- The role of the chemical, such as “surfactant,” “colorant,” or “nonfunctional contaminant”



- Manufacturer research into the effects on human health and the environment of the product or chemicals present in it
- Date of disclosure

If manufacturers seek to phase in the recommendations, DEC offers this schedule:

Disclose the following initially:

- Intentionally added ingredients other than fragrance ingredients, along with details about the ingredients described above
- Nonfunctional ingredients present above trace quantities (0.5% of the product as defined in current regulation)
- The extent of disclosure

By a year later, disclose:

- Fragrance ingredients
- Certain nonfunctional byproducts or contaminants present at or above 100 parts per million, except for 1,4 dioxane (at or above 350 parts per trillion), and PFOA and PFOS, (combined at or above 70 parts per trillion)
- Information regarding investigations and research concerning effects on human health and the environment
- Information about Globally Harmonized Systems (GHS) Skin Irritants and Aquatic Toxins

Two and a half years after initial disclosure, include:

- Nonfunctional byproducts that appear on one or more of the lists of chemicals of concern and are present at or above the practical quantitation limit; and
- Nonfunctional contaminants that appear on one or more of the lists of chemicals of concern and are present at or above the thresholds described in Section V.A.3, “Confidential Business Information and Extent of Disclosure”

Manufacturers are advised to disclose ingredient formulation changes each time a product’s formu-

lation is changed, a new product is introduced, or a list of chemicals of concern is modified to include an ingredient used by a manufacturer within six months of the date upon which the named chemical is added to an applicable list.

Legacy lists for discontinued products should remain available for two years after the product is withdrawn from the market, and manufacturers are advised to review available research on health and environmental effects every other year at minimum and adjust their disclosures accordingly.

## CALIFORNIA SB 258

In late 2017, the California Governor signed SB 258, the Cleaning Product Right to Know Act, into law, which went into effect January 1, 2020.

SB 258 amends California Health and Safety Code to mandate the disclosure of chemicals in cleaning products and at this time requires products offered for sale in that state to have their ingredients listed on the product’s website. Products that do not comply with the law are forbidden to be sold in California.

As of January 1, 2020, California required companies to post on their websites a list of ingredients in an electronically readable format:

- Each intentionally added ingredient other than certain fragrances or the names of chemicals withheld as Confidential Business Information (CBI)
- No intentionally added ingredient that appears on a list of chemicals of concern may be held as CBI, and must be disclosed regardless of amount present
- Any of the 33 nonfunctional ingredients present above 100 parts per million (ppm), and 1,4-dioxane when present above 10 ppm
- The Chemical Abstracts Service (CAS) number for each intentionally added ingredient or non-functional ingredient disclosed
- The functional purpose of each intentionally

added ingredient

- An electronic link to lists of chemicals of concern for each ingredient present
- A link to the Safety Data Sheet for each product
- A list of all fragrance ingredients present on designated lists of chemicals of concern, and a list of all fragrance ingredients included on the European Union list of fragrance allergens, when present above 100 ppm
- Any fragrance ingredient present at or above 100 parts per million, unless claimed as CBI

As of January 1, 2021, California will require companies to include chemical ingredients on cleaning product containers, as well as the date on which that product was manufactured.

As of January 1, 2023, companies must disclose intentionally added ingredients known to cause cancer or reproductive toxicity that are included on a designated list pursuant to Proposition 65 if present at any level in that product. Prior to that date, products containing Proposition 65 chemicals must include warnings if those chemicals are at levels that would trigger such a warning.

Companies are allowed to claim that the names of specific chemicals in their formulations are “Confidential Business Information” and can be withheld if public knowledge of precise formulations or ingredients would provide an unfair advantage to competitors, but the law requires the names of chemicals present on any of the lists of chemicals of concern to be disclosed. It also requires that even when a specific chemical name is withheld, companies must follow federal requirements for providing a generic name.

## HOW NEW YORK STATE AND CALIFORNIA OVERLAP TO EXTEND PUBLIC KNOWLEDGE OF CHEMICALS

New York State’s scope extends beyond requirements in California to include a broader set of chemicals of concern present unintentionally in products. This is true whether they were added for a purpose earlier in the supply chain (like a stabilizer), are the byproduct of reactions between intentionally added chemicals (like formaldehyde and 1,4-dioxane), are a contaminant of a raw ingredient (such as present in water), or a contaminant in the manufacturing process.

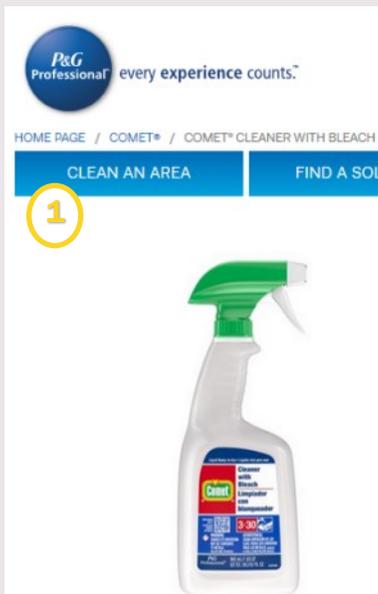
New York’s structure directs notation of chemicals of concern by chemical, where CA SB 258 only requires the ingredient to be listed by name, but not specifically identified as a chemical of concern. (See page 11 for a comparison example.)

California’s scope of products includes three broad categories not covered in New York: disinfectants, air fresheners, and automobile cleaners. It also does not allow withholding the name of an ingredient if it appears on a list of chemicals of concern.



# SCREENSHOT COMPARISON: DISCLOSING CHEMICALS OF CONCERN BY PRODUCT OR INGREDIENT

P&G tells us **when** a product's ingredients are on lists of chemicals of concern (in CA, "designated lists") **by product**; RB discloses **which specific** ingredients are present on **which specific** lists (under NYS' BMP). Here's a screenshot to show the difference.



View Ingredient Table

Ingredient	CAS Number	Function
Water	7732-18-5	Diluent
Sodium Octyl Sulfate	142-31-4	Surfactant
Sodium Lauryl Sulfate	151-21-3	Surfactant
Sodium Hypochlorite	7681-52-9	Bleach
Sodium Hydroxide	1310-73-2	Buffer
Sodium Chloride	7647-14-5	Builder
Sodium Silicate	1344-09-8	Buffer
2,6-dimethyl-7-octen-2-ol	18479-58-8	Fragrance
2-octanol, 2,6-dimethyl-	18479-57-7	Fragrance
3-octanol, 3,7-dimethyl-	78-69-3	Fragrance
Eucalyptol	470-82-6	Fragrance
Linalool	78-70-6	Fragrance
p-Cymene	99-87-6	Fragrance
Terpineol, dihydro-, acetate	58985-18-5	Fragrance

Below the product image (1) and a description, P&G lists ingredients, including those that are present on designated list(s) (DL) in the ingredient table (2). They don't say **which** ingredients appear on DLs. P&G provides a "product statement" (3) below the ingredients table with any DLs on which product ingredients appear. They don't say **which** ingredients are on **which** DL. This appears to meet CA law.

**Product Statement**

This product contains one or more of the ingredients that appear on designated government lists: EU Fragrance Allergens

[Click here](#) for the complete list.



Intentionally Added	
Water	>
Sulfamic Acid	>
Cocamine Oxide	>
Fragrance/Parfum	>
Fragrance Component	
d-Limonene DL	▼
Fragrance Component: A component of a fragrance oil. CAS #: 5989-27-5 This ingredient appears on one or more <b>Designated Lists</b> : IARC Carcinogens : Group 1, 2A, or 2B carcinogens identified by the International Agency for Research on Cancer. <a href="#">more info...</a>	
Decahydrospiro[furan-2(3H),5'-[4,7]methano[5H]indene] DL	>
Dihydromyrcenol	>
Dipropylene Glycol	>
Dodecanenitrile DL	>
Isobornyl Acetate	>
Rosin, hydrogenated DL	>

Next to their product image (1), RB shows **each individual chemical** of concern on designated lists (DL) that are on their list of ingredients (2). RB gives details about **which** DLs the ingredient is on in dropdown-descriptor for the ingredient (3). This meets NYS's Best Management Practices.



# WHAT WE DID

CHNY staff surveyed the market to identify 100 popular cleaning products, including air fresheners, that are covered by California law, New York State policy, or both. We reviewed 20 products each from Colgate-Palmolive, Clorox, P&G (Procter and Gamble), RB, and Unilever subsidiary Seventh Generation. All of the products selected are covered by California's law. Our survey examined what manufacturers of these products are telling the public, which we sought to confirm by calling customer service lines and via email to employees responsible for disclosing information.

We asked the following questions to assess each product, with one point assigned for every positive answer. Half-points were assigned in rare cases that some, but not all, aspects of the criterion were met,.

To assess whether companies meet the requirements of CA law that went into effect in January 2020:

- Is information about a specific product accessible within 4 “clicks” from the brand’s main page? No points were awarded when we could find no brand website featuring products, or where there were no links between this page and ingredient disclosure pages
- Is the Chemical Abstract Service Number (CAS #) provided for each chemical? This allows easy searches to learn about the chemical. This identifier is unique for each chemical structure
- Is the function of each chemical described? This helps people understand why a chemical is present, and whether it was put there on purpose
- Does the company identify, for the product as a whole, designated lists of chemicals of concern

when product ingredients on those lists are present at levels above 100 ppm?

- Are fragrance allergens identified when present at levels above 100 ppm? Does the ingredient page provide a link to CA’s Designated Lists?
- Are the 34 chemicals identified in CA law as “nonfunctional” ingredients included when present in the product at 100 parts per million (ppm) or more? CA law requires disclosing only 34 chemicals – which pose potential health threats - present without having a purpose in the final product – and only when present at levels at or above 100 ppm
- Is a link to the product’s Safety Data Sheet (SDS) available on the same page as the ingredient disclosures? SDS is the new name for documents formerly known as Material Safety Data Sheets, which are produced to give information to workers

To assess whether companies meet the requirements of CA law that will go into effect in 2023:

- Does the company indicate when chemicals of concern under CA’s Proposition 65 are in the product?

To assess whether companies have adopted New York State’s Best Management Practices:

- Does the company indicate the level of its disclosure? NYS identifies tiers of disclosure and recommends checking which level a company is providing, for general ingredients, and separately for fragrances. No companies we surveyed provide this information
- Are chemicals of concern identified individually? This allows people to see how many chemicals appear on designated lists, and by seeing the order of ingredients, how much of the

product is made up of these chemicals.

- Does the company disclose any studies they have conducted or commissioned to assess health and environmental considerations for the product or chemicals present in them? If so, are there links provided? No companies provide this information
- Are fragrance ingredients disclosed below 100 parts per million?
- Does the company provide a link to the NYS Best Management Practices?
- NYS includes six lists of chemicals of concern that are not part of CA's designated lists. Are these identified?
- Does the company provide Globally Harmo-

nized System (GHS) hazard language? These are determined by product, and include things like skin sensitizers, respiratory irritants, and eye irritants

- Are nonfunctional byproducts (which are added during the manufacturing process, but have no purpose in the final product) or contaminants (present in the raw materials unintentionally) that appear on designated lists disclosed beyond the 34 required by CA law?

Without testing, we can't confirm conclusively whether what companies disclose includes everything in these products.

## WHAT IS SMARTLABEL®?

All five companies we surveyed use the SmartLabel® program to provide information about chemicals in their products. So just what is SmartLabel®?

It is a voluntary disclosure online infrastructure created by The Trading Partner Alliance to extend information about products beyond what is printed on the physical label.

Originally conceived for food products, it now covers many different types of consumer goods. Although the structure of SmartLabel® pages is uniform, different companies host the SmartLabel® infrastructure. You can access the overall program directly here: [smartlabel.org](https://smartlabel.org)



# WHAT WE FOUND

## WHAT WOULD IDEAL ONLINE TRANSPARENCY LOOK LIKE?

Companies would, for all products across all sub-brands, consistently provide detailed information about their ingredients on the product page they use to tell visitors about their products, or at minimum provide on a product's primary page a direct link to the page that provides ingredient information. It would include every single intentionally added ingredient present in the product, and include any contaminant, byproduct, or chemical added throughout the supply chain for which there is evidence that it harms human health or the environment, including astmagens and allergens.

The website would provide the chemical's name, Chemical Abstract Service number (CAS number), function in the product (including noting when the chemical is present but serves no purpose), whether each chemical has been identified as posing a hazard to human health or the environment, and if so, which kind(s) of harm, and a link to the Safety Data Sheet for each product. To comply with state law (CA) and best management practices (NY) it would also provide links to each state's program and provide any research the company had conducted into the chemicals present or the product as a whole for their impact on human health and the environment.

No company is currently meeting all of the best management practices of New York State and the full requirements of California, as no company provides information about the extent of their transparency as described by the NYS Guidance.

Two companies have done the most to meet the need for transparency in products, including all California requirements and several components of the NYS Best Management Guidance, in their disclosures.



**OVERALL SCORE: 79%**

CA 2020: 100% | CA 2023: 100% | NY BMP: 50%

**Seventh Generation** discloses all ingredients and their functions, including all fragrance ingredients, even those below 100 parts per million (ppm), and provides Safety Data Sheets (SDS) on the primary product page on their brand website. They provide additional details required by California law on their SmartLabel® pages, including CAS #, and whether ingredients are on lists of California's chemicals of concern for all 20 products surveyed.

Seventh Generation provided information about all intentionally added ingredients and their functions long before being legally required to do so. They eliminated all Chemical Footprint Project's Chemicals of High Concern from their products,<sup>8</sup> and thus do not have additional chemicals to disclose, according to email communications we had with the company in summer 2020. They do not conduct or pay for independent parties to conduct health and environmental research on chemicals or products, and thus had none to disclose.



## OVERALL SCORE: 72%

CA 2020: 97% | CA 2023: 100% | NY BMP: 38%

RB (formerly Reckitt Benckiser) has developed a robust in-house disclosure website program for all of its sub-brands, and also provides information through SmartLabel®. They provide information about all intentionally added non-fragrance ingredients, fragrance ingredients at or above 100 ppm or at any level if the ingredient is included on a list of chemicals of concern, and nonfunctional ingredients that appear on any of the full 29 lists of chemicals of concern, indicating when an ingredient is on a list, and then which chemicals appear on which specific lists, with links to New York State's longer descriptions of each type of chemical of concern. They provide links to product SDS. Their ingredient lists are clear and easy to navigate, and have a clear section for nonfunctional ingredients.

The significant downside is that it does not provide product site-to-product-site links to enable users to quickly get information about product ingredients from the sub-brand's product page. At best there are generic links at the bottom of sub-brand websites (such as Lysol), but even this is not consistently done. We found no link between the following brand websites and ingredient pages: Resolve®, Rid-X®, and Woolite®. We found no brand websites with product descriptions for Mop-N-Glo®, Glass Plus®, or Old English®.

## Two companies are meeting current California legal requirements to a substantial degree. but not New York's Best Management Practices.



Procter&Gamble

## OVERALL SCORE: 52%

CA 2020: 99.5% | CA 2023: 0% | NY BMP: 0%

P&G (Procter and Gamble) complies with CA requirements that went into effect in 2020 via ingredient information at SmartLabel®, from the sub-brand product information pages. However, P&G also provides a variety of levels of disclosure on brand pages that do not uniformly conform to CA SB 258 requirements. This may cause confusion for website viewers who may not know to look for SmartLabel® pages.

However, on all its SmartLabel® pages, P&G discloses intentionally added ingredients, including those in fragrances at or above 100 ppm, whether or not they are lists of chemicals of concern. It provides CAS numbers in most cases, except where they withhold the specific chemical name as CBI. It provides links to Safety Data Sheets. It also discloses when chemicals in the product as a whole appear on any of the CA designated lists of chemicals of concern.

P&G includes ingredients that are present on designated list(s) (DL) among those presented on the ingredient table, without indicating which appear on DLs. P&G provides a "product statement" below the ingredients table with any DLs on which product ingredients appear, but don't say which ingredients are on which DL.

P&G does not disclose when chemicals are on the additional six lists included in the NYS Best Management Practices. It does not provide information on any nonfunctional ingredients. The link to Joy® brand dish detergents no longer works, so



there is no brand page from which to link to ingredient pages.

## OVERALL SCORE: 50%

CA 2020: 80% | CA 2023: 0% | NY BMP: 13%

**Clorox** uses SmartLabel® for ingredient disclosure. It takes two clicks to move between brand websites and ingredient pages. Clorox discloses intentionally added ingredients including fragrance ingredients, with chemical names, CAS numbers, and function. It provides links to Safety Data Sheets. When a product includes a chemical of concern or fragrance allergen as defined by CA SB 258, Clorox provides this information along with a link to the CA SB 258 “Designated Lists” of lists of chemicals of concern. It does so for each relevant chemical, as recommended by NYS.

We did not find company or SmartLabel® websites with ingredient information for two of the 20

Clorox products in our initial survey, but the company provided those links. None of the products we selected included ingredients not intentionally added. Clorox reported to us that should any of



the 34 “nonfunctional constituents” identified in California’s law be present at or above 100 ppm, they disclose them. Clorox has not adopted any of the additional components recommended by the NYS Best Management Practices.

**One company lags behind, appearing not to meet all of the requirements that went into effect in January 2020.**

## OVERALL SCORE: 37%

CA 2020: 58% | CA 2023: 0% | NY BMP: 11%

**Colgate-Palmolive** provides information on SmartLabel® but there is nothing that connects brand websites and SmartLabel®. Three products we reviewed did not appear on SmartLabel®: Murphy® Oil Soap Soft Wipes, Palmolive® eco® Green Apple Scent (though other fragranced versions were available), and Ajax® Ultra Charcoal + Citrus.

Some product pages on brand websites provide information about intentionally added ingredients, except fragrances and colorants, with the purpose of those chemicals.

On SmartLabel®, the company does not disclose

colorant ingredients, and therefore only earned 50% for disclosing ingredients. They do not appear to disclose any of the 34 nonfunctional ingredients as required by CA law, and do not provide links to Safety Data Sheets. For products on SmartLabel®, Colgate-Palmolive provides a link to CA's designated lists, including Proposition 65, and fragrance allergens present above 100 ppm. The only extent to which they go beyond CA requirements is their indication of chemicals on designated lists by ingredient, not only by product.

## WHAT'S MISSING

None of the surveyed companies took any of the following from NYS Best Management Practices:

- No companies disclosed that chemicals in their products were present at a nanoscale. We can't assess whether this is because none of the products we surveyed include nanoscale materials, or if companies are not meeting that component of New York State's Best Management Practices
- No companies provided information about their research into environmental or health impacts of their products. Seventh Gen-

eration told us they do not conduct independent research, but would disclose if they did

- No companies were transparent about their level of transparency, which made assessing if they meet various requirements more difficult.
  - When companies disclose fragrance ingredients, it is not clear if they include all fragrance ingredients, or whether they are revealed down to a concentration threshold of 100 ppm
  - The absence of information prevents knowing whether the company is taking advantage of an allowed delay for disclosing chemicals including 1,4-dioxane, PFOS and PFOA. No company disclosed the presence



## SURVEY RESULTS CHART

	Clorox	Colgate-Palmolive	P&G	RB	Seventh Generation
<b>Meeting current CA reporting requirements:</b>	<b>80%</b>	<b>58%</b>	<b>99.5%</b>	<b>97%</b>	<b>100%</b>
Compliant ingredient information available within 4 clicks from main brand website	20	0	19	14	20
All intentional ingredients except fragrance <sup>1</sup>	20	10	20	20	20
Identify fragrance ingredients above 100 ppm <sup>2</sup>	20	17	20	20	20
Chemical Abstract Service (CAS) Number	20	17	20	20	20
Function	20	20	20	20	20
When product has chemicals of concern (COCs) above 100 ppm, disclose on which designated lists it appears	20	17	20	20	20
34 nonfunctional chemicals included above 100 ppm	0	0	20	20	20
Identify fragrance allergens above 100 ppm	20	17	20	20	20
Provide link to list of CA Designated Lists	0	17	0	20	20
Safety Data Sheet provided	20	0	20	20	20
<b>Meeting CA requirements effective 2023:</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>	<b>100%</b>
Identify all chemicals on CA's Proposition 65 list <sup>3</sup>	0	0	0	20	20
<b>Incorporating NYS Best Management Practices:</b>	<b>13%</b>	<b>11%</b>	<b>0%</b>	<b>38%</b>	<b>50%</b>
Disclose level of disclosure	0	0	0	0	0
Disclose COCs by ingredient	20	17	0	20	20
Studies on human health and environment <sup>4</sup>	0	0	0	0	20
Fragrance ingredients below 100 ppm	0	0	0	0	20
Link to NYS Best Management Practices	0	0	0	0	0
Disclose NY lists of chemicals of concern	0	0	0	20	0
Provide Globally Harmonized Systems (GHS) designations	0	0	0	0	0
Identify nonfunctional chemicals beyond CA	0	0	0	20	20
<b>TOTAL RATING</b>	<b>50%</b>	<b>37%</b>	<b>52%</b>	<b>72%</b>	<b>79%</b>

<sup>1</sup> Colgate-Palmolive did not disclose colorants, thus earned half points for listing ingredients. <sup>2</sup> Companies can withhold names of fragrance ingredients unless they are designated on lists of chemicals of concern, and still receive points for this. <sup>3</sup> CA law allows companies not to identify chemicals on the Proposition 65 list below a high threshold until 2023. Companies that state they do so now have received credit. <sup>4</sup> Seventh Generation communicated directly that they do not conduct independent research but would disclose if they do.



# RECOMMENDATIONS

People have a fundamental right to know what is in the products they use every day, particularly any health and environmental hazards they may pose during extraction, production, transportation, use and disposal. Manufacturers can maintain a competitive advantage and get ahead of the regulatory curve by avoiding chemicals of concern and providing full disclosure of all product ingredients. Governments can even the playing field and bring up industry laggards by enacting and fully implementing policies that provide people and communities with the information they require to make smart consumer choices and protect themselves, their families, and the broader environment from products containing hazardous materials.

## RECOMMENDATIONS FOR GOVERNMENT ACTION

New York State should substantially adopt its Guidance as regulation. The policy elements it proposed that go beyond CA's law are necessary to provide full information, and to enable people to compare ingredients fairly (by making it clear when some chemical information is withheld).

Any cleanser disclosure requirement adopted by states or the Federal Government should go beyond intentionally added ingredients. Contaminants, whether naturally occurring or present as a result of the manufacturing process, may be equally harmful regardless of how they got there. For example, the public recently learned of the naturally occurring, yet avoidable, contaminant asbestos (a known carcinogen according to the U.S. Department of Health and Human Services) in talc-based products such as baby powder. A by-product of the industrial process that is never in-

tentionally added yet commonly present in cleansers is 1,4 dioxane (a reasonably-anticipated carcinogen according to the U.S. Department of Health and Human Services).

**When setting thresholds for disclosure, considerations of what is most protective of public health and the environment, as well as what is technically achievable, should be paramount.** Often, thresholds for disclosure are politically negotiated, and ones proposed by the regulated industry tend to enable them to avoid key disclosure altogether. For example, if a reporting threshold is set arbitrarily at 100 parts per million, and a contaminant is present in products close to, but below that threshold, the manufacturer avoids disclosure, yet the consumer believes they're getting the whole story. Further, a health-based standard could vary from chemical to chemical, and a one-size-fits-all standard may be adequate for certain contaminants and not others. Certainly, **the public deserves to know when there is any amount of hazard posed by a product.** They can then decide whether to take the chance, or simply choose a product that poses no such threat.

## RECOMMENDATIONS FOR CLEANING PRODUCT MAKERS

Cleanser makers should know and fully disclose any ingredient that they intentionally add to their product. Naturally occurring contaminants that are present on any of the hazard lists identified by the State must be disclosed at a level that can be reliably detected. Nonfunctional ingredients that occur as a byproduct of the industrial process should also be disclosed whenever present and reliably detectable. With clear communication

along supply chains, companies should be able to gather and share this information without conducting laboratory analysis of the final product.

In the event that a cleanser manufacturer wishes to claim an ingredient as confidential business information (CBI), they should only do so if the ingredient does not pose any of the hazards determined for disclosure by the State. Hazardous ingredients – including their name and CAS number – should be disclosed to the public in every instance.

**This report illustrates that without legal requirements, many companies will opt not to be fully transparent, while presenting the impression that they are being so.** One good example is adhering to thresholds for disclosure (such as CA's threshold of 100 ppm for fragrance ingredients). Another is the inclusion of information about asthmagens.

It illustrates the need for the Guidance issued by New York State to become regulation, with all its provisions included. People reviewing ingredient pages need to know how transparent a company is being, in order to reasonably compare between similar products made by different brands. Further, it is important to include provisions that

specify clear communication of chemical information throughout the supply chain, so that final product manufacturers and brands can accurately provide details about contaminants.

## CONCLUSIONS: BEYOND CLEANING PRODUCTS

New Yorkers endure a legacy of air, water and soil contamination, perpetrated on people and communities by unfettered or inadequately regulated business practices. As a result, diseases and disorders of environmental origin are common, and are increasing over time. People and the environment are harmed at all points along the lifecycle of our traditional linear economy: extraction, production, transportation, use, and disposal. People of color and frontline communities bear a disproportionate burden. A crucial initial step toward a just, sustainable, nontoxic circular economy is that of radical transparency. Radical transparency means actions and approaches that provide full information about materials, processes and policies along supply chains and with the public.



# APPENDIX A.

## LIST OF CALIFORNIA CHEMICALS OF CONCERN

The text from this list is an excerpt of the New York State Best Management Practices.

1. **CA Prop 65.** Chemicals known to the State of California to cause cancer or reproductive toxicity (including developmental, female and male toxicity) that are listed pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986 (California Code of Regulations, Title 22, Division 2, Subdivision 1, Chapter 3, Sections 1200 et seq, also known as Proposition 65). <https://oehha.ca.gov/proposition-65/proposition-65-list>
2. **EU CMRs.** Chemicals classified by the European Union as carcinogens, mutagens, and/or reproductive toxicants in Category 1A and 1B in Annex VI to Regulation (EC) 1272/2008. [https://echa.europa.eu/documents/10162/13562/cm\\_r\\_report\\_en.pdf](https://echa.europa.eu/documents/10162/13562/cm_r_report_en.pdf)
3. **EU Endocrine Disruptors.** Chemicals included in the European Union candidate list of Substances of Very High Concern in accordance with Article 59 of Regulation (EC) 1907/2006 on the basis of Article 57(f) for endocrine disrupting properties. <https://echa.europa.eu/candidate-list-table>
4. **IRIS Neurotoxicants.** Chemicals for which a reference dose or reference concentration has been developed based on neurotoxicity in the United States Environmental Protection Agency's Integrated Risk Information System. [https://cfpub.epa.gov/ncea/iris/search/index.cfm?sys\\_joint=11](https://cfpub.epa.gov/ncea/iris/search/index.cfm?sys_joint=11)
5. **IRIS Carcinogens.** Chemicals that are identified as "carcinogenic to humans", "likely to be carcinogenic to humans", or Group A, B1, or B2 carcinogens in the United States Environmental Protection Agency's Integrated Risk Assessment System. [https://cfpub.epa.gov/ncea/iris/search/index.cfm?sys\\_joint=11](https://cfpub.epa.gov/ncea/iris/search/index.cfm?sys_joint=11)
6. **EU PBTs.** Chemicals included in the European Union candidate list of Substances of Very High Concern in accordance with Article 59 of Regulation (EC) 1907/2006 on the basis of Article 57(d), Article 57(e), or Article 57(f) for persistent bioaccumulative and toxic, or very persistent and very bioaccumulative properties. <https://echa.europa.eu/candidate-list-table>
7. **Canada PBTs.** Chemicals that are identified as Persistent, Bioaccumulative, and Inherently Toxic to the environment by the Canadian Environmental Protection Act Environmental Registry Domestic Substances List. [https://www.ec.gc.ca/lcpe-cepa/eng/subs\\_list/DSL/DSLsearch.cfm?critSearch=PBI](https://www.ec.gc.ca/lcpe-cepa/eng/subs_list/DSL/DSLsearch.cfm?critSearch=PBI)
8. **EU Respiratory Sensitizers.** Chemicals classified by the European Union as respiratory sensitizers Category 1 in Annex VI to Regulation (EC) 1272/2008. <https://echa.europa.eu/information-on-chemicals/cl-inventory-database?>

[p\\_p\\_id=dissclininventory\\_WAR\\_dissclininventoryportlet&p\\_p\\_lifecycle=0&p\\_p\\_state=normal&p\\_p\\_mode=view&p\\_p\\_col\\_id=column-1&p\\_p\\_col\\_pos=1&p\\_p\\_col\\_count=2](http://www.epa.gov/epawaste/hazard/wastemin/web/html/p_p_id=dissclininventory_WAR_dissclininventoryportlet&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-1&p_p_col_pos=1&p_p_col_count=2)

9. **IARC Carcinogens.** Group 1, 2a, or 2b carcinogens identified by the International Agency for Research on Cancer, World Health Organization, in Monographs on the Evaluation of Carcinogenic Risks to Humans. <http://monographs.iarc.fr/ENG/Classification/>
10. **ATSDR Neurotoxicants.** Neurotoxicants that are identified in the United States' Department of Health and Human Services' Agency for Toxic Substances and Disease Registry's Toxic Substances Portal under "Health Effects of Toxic Substances and Carcinogens, Nervous System." <https://www.atsdr.cdc.gov/substances/toxorganlisting.asp?sysid=18>
11. **US EPA Priority Chemicals List.** Persistent, Bioaccumulative and Toxic Priority Chemicals that are identified by the United States Environmental Protection Agency's National Waste Minimization Program. <https://archive.epa.gov/epawaste/hazard/wastemin/web/html/priority.html>
12. **US NTP Reproductive or Developmental Toxicants.** Reproductive or developmental toxicants identified in "Monograph on the Potential Human Reproductive and Developmental Effects" published by the United States Department of Health and Human Services' National Toxicology Program, Office of Health Assessment and Translation. <https://ntp.niehs.nih.gov/pubhealth/hat/noms/index.html>
13. **US EPA PBTs.** Chemicals identified by the United States Environmental Protection Agency's Toxics Release Inventory program as Persistent, Bioaccumulative and Toxic Chemicals that are subject to reporting under Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986. <https://www.epa.gov/toxics-release-inventory-tri-program/persistent-bioaccumulative-toxic-pbt-chemicals-covered-tri>
14. **WA PBTs.** The Washington Department of Ecology's Persistent, Bioaccumulative, Toxic (PBT) Chemicals identified in the Washington Administrative Code, Title 173, Chapter 173-333. <http://www.ecy.wa.gov/programs/hwtr/RTT/pbt/list.html>
15. **US NTP Carcinogens.** Chemicals that are identified as "known to be" or "reasonably anticipated to be" human carcinogens in the 13th Report on Carcinogens and any subsequent revisions prepared by the United States Department of Health and Human Services' National Toxicology Program. <https://ntp.niehs.nih.gov/pubhealth/roc/index.html>
16. **CA NLs.** Chemicals for which notification Levels, as defined in Health and Safety Code Section 116455, have been established by the California Department of Public Health or the State Water Resources Control Board. [http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/documents/notificationlevels/notificationlevels.pdf](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/documents/notificationlevels/notificationlevels.pdf)
17. **CA MCLs.** Chemicals for which primary Maximum Contaminant Levels have been established and adopted under Sections 64431 or 64444 of Chapter 15 of Title 22 of the California Code of Regulations. [http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Lawbook.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.shtml)
18. **CA TACs.** Chemicals identified as Toxic Air Contaminants under Sections 93000 or 93001 of



Title 17 of the California Code of Regulations. <https://www.arb.ca.gov/toxics/id/taclist.htm>

**19. CA Priority Pollutants.** Chemicals that are identified as priority pollutants in the California Water Quality Control Plans under Section 303(c) of the federal Clean Water Act and in Section 131.38 of Title 40 of the Code of Federal Regulations, or identified as pollutants by California or the United State Environmental Protection Agency for one or more water bodies in California under Section 303(d) of the federal Clean Water Act and Section 130.7 of Title 40 of the Code of Federal Regulations. [http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/integrated2012.shtml](http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml)

**20. CA Non-Cancer Hazards.** Chemicals that are identified with non-cancer endpoints and listed with an inhalation or oral Reference Exposure Level by the California Office of Environmental Health Hazard Assessment under Health and Safety Code Section 44360(b)(2). <https://oehha.ca.gov/air/general-info/oehha-acute-8-hour-and-chronic-reference-exposure-level-rel-summary>

**21. CA Priority Chemicals.** Chemicals identified as priority chemicals by the California Environmental Contaminant Biomonitoring program pursuant to Section 105449.

**22. Marine Priority Action Chemicals.** Chemicals that are identified on Part A of the list of Chemicals for Priority Action prepared by the Oslo and Paris Conventions for the Protection of the Marine Environment of the North-East Atlantic. <https://www.ospar.org/work-areas/hasec/chemicals/priority-action>

**23. EU Fragrance Allergens.** Chemicals identified as fragrance allergens in Annex III of the EU Cosmetics Regulation 1223/2009, as required to be labeled by the European Detergents Regulation No. 648/2004. (at levels above 100 parts per million) [https://ec.europa.eu/health/sites/health/files/endocrine\\_disruptors/docs/cosmetic\\_1223\\_2009\\_regulation\\_en.pdf](https://ec.europa.eu/health/sites/health/files/endocrine_disruptors/docs/cosmetic_1223_2009_regulation_en.pdf)

# APPENDIX B.

## ADDITIONAL LISTS OF CHEMICALS OF CONCERN IDENTIFIED BY NYS BEST MANAGEMENT PRACTICES

New York State's Best Management Practices include all of the lists designated by California in Appendix A. In addition, it includes the following. The text from this list is an excerpt of the New York State Best Management Practices.

**EU Fragrance Allergens.** Chemicals identified as fragrance allergens in Annex III of the EU Cosmetics Regulation 1223/2009, as required to be labeled by the European Detergents Regulation No. 648/2004 (this extends CA's requirement to include these chemicals present below 100 ppm). [https://ec.europa.eu/health/sites/health/files/endocrine\\_disruptors/docs/cosmetic\\_1223\\_2009\\_regulation\\_en.pdf](https://ec.europa.eu/health/sites/health/files/endocrine_disruptors/docs/cosmetic_1223_2009_regulation_en.pdf)

**AOEC Asthmagens.** Chemicals designated as asthmagens by the Association of Occupational and Environmental Clinics. <http://www.aoecdata.org/>

**US EPA TSCA Chemicals of Concern.** A chemical for which the United States Environmental Protection Agency has issued a Chemical of Concern Action Plan pursuant to the federal Toxic Substances Control Act. <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-work-plan-chemicals>

**US EPA Ozone Depletors.** Chemicals identified as a Class I or Class II Ozone-Depleting Substance by the United States Environmental Protection Agency. <https://www.epa.gov/ozone-layer-protection/ozone-depleting-substances>

**NY DOH MCLs.** Chemicals for which Maximum Contaminant Levels have been established and adopted in Tables 1, 3, 3A, and 7 of Subpart 5-1.52 of Title 10 of the New York Code of the Rules and Regulations (10 NYCRR Subpart 5-1.52). <http://bit.ly/NYSDOHMCL>

**GLWQA Chemicals of Mutual Concern.** Chemicals identified as Chemicals of Mutual Concern developed under the 2012 U.S./ Canada Great Lakes Water Quality Agreement (GLWQA) Annex 3. <https://binational.net/wp-content/uploads/2016/09/PRP-160927-EN.pdf>

**NY Air Toxics.** Chemicals identified as high toxicity air contaminants in Part 212 of Title 6 of the New York Codes of Rules and Regulations (6 NYCRR Subpart 212-2.2, as defined in Subpart 212-1.2 (b)(9)). <http://bit.ly/nyairtoxics>



# APPENDIX C.

## GLOBALLY HARMONIZED SYSTEM OF HAZARD CHARACTERISTICS

In addition to lists of lists of chemicals of concern, New York State includes disclosure of the following designations within the Globally Harmonized System of Hazard Characteristics (GHS). Learn about all of them here: <https://www.osha.gov/dsg/hazcom/ghsguideoct05.pdf>

The text from this list is an excerpt of the New York State Best Management Practices.

**GHS Skin Irritant.** A product classified according to the Globally Harmonized System for Classification and Labeling of Chemicals (GHS) Chapter 3.2, Skin Corrosion/Irritation, as a Category 1, 2 or 3 skin corrosive or skin irritant. A product should be classified as corrosive to the skin if it has a pH of 2 or less or a pH of 11.5 or greater, unless tested or proven otherwise.

**GHS Eye Irritant.** A product classified according to GHS Chapter 3.3, Serious Eye Damage/Eye Irritation, as a Category 1 or 2 eye irritant. A product should be classified as capable of causing serious eye damage if it has a pH of 2 or less or a pH of 11.5 or greater, unless tested or proven otherwise.

**GHS Respiratory or Skin Sensitizer.** A product classified according to GHS Chapter 3.4, Respiratory and Skin Sensitization, as Category 1A - High frequency of occurrence or sensitization rate in humans; or Category 1B - Low to moderate frequency of occurrence or sensitization rate in humans.

**GHS Mutagen.** A product classified according to GHS Chapter 3.5, Germ Cell Mutagenicity, as Category 1A - Chemicals known to induce heritable mutations in the germ cells of humans; or Category 1B - Chemicals which should be regarded as if they induce heritable mutations in the germ cells of humans.

**GHS Aquatic Toxin.** A product classified according to GHS Chapter 4.1, Hazardous to the Aquatic Environment, as a Category 1, 2 or 3 acute or chronic aquatic toxin with a median lethal concentration (LC50) of less than 100 milligrams per liter.

# APPENDIX D.

## DETAILED METHODS

This report was initially produced during the first quarter of calendar year 2020, and refined and checked in the second quarter, concluding in August 2020, during the months after California's SB 258 product disclosure law came into effect on January 1, 2020 and as New York State's Department of Environmental Conservation prepared New York State-specific cleaning product disclosure rules to bring policy into line with existing state law.

During this period of regulatory activity, CHNY sought to gain a clearer understanding of how product manufacturers have responded to this new wave of government oversight as well as what the general public is able to learn for the first time due to new or emerging regulatory and statutory requirements.

The parameters of our survey were as follows: we selected five major cleaning product manufacturers whose products are widely available to customers in New York State either in retail stores or online. We then selected 20 products from each manufacturer, based on the largest number of Amazon.com customer feedback or customer feedback made publicly to the manufacturers on the manufacturers' corporate Web pages, balanced by selecting products from an array of a manufacturer's cleaning product brands. For example, we reviewed information about products from RB's brands Air Wick®, Easy-Off®, Finish®, Glass Plus®, Lime-A-Way®, Lysol®, Old English®, Resolve®, Rid-X®, and Spray 'N Wash®. We sought to select among products offered by sub-brands (RB's Lysol line, for example) to assess uniformity of the programs being implemented.

Once we had selected a range of products, we made our final selections to include a broad range

of products intended for various common household uses, we closely examined the range of information available at that time about each selected product.

We then evaluated each product information page and when available additional product ingredient pages for the following:

To assess whether companies meet the requirements of CA law that went into effect in January 2020:

- Is information about a specific product accessible within 4 "clicks" from the brand's main page? No points were awarded when we could find no brand website featuring products, or where there were no links between this page and ingredient disclosure pages.
- Is the Chemical Abstract Service Number (CAS #) provided for each chemical? This allows easy searches to learn about the chemical, this identifier is unique for each chemical structure.
- Is the function of each chemical described? This helps people understand why a chemical is present, and whether it was put there on purpose.
- Does the company identify designated lists of chemicals of concern when chemicals on those lists are present in the product at levels above 100 ppm? CA only requires



identifying lists by product, and does not require disclosing which chemicals appear on those designated lists.

- Are fragrance allergens identified when present at levels above 100 ppm?
- Does the ingredient page provide a link to CA's Designated Lists?
- Are the 34 chemicals identified in CA law as "nonfunctional" ingredients included when present in the product at 100 parts per million (ppm) or more? CA law only requires disclosing 34 chemicals – which pose potential health threats - present without having a purpose in the final product – and only when present at levels above 100 ppm.
- Is a link to the product's Safety Data Sheet (SDS) available on the same page as the ingredient disclosures? SDS is the new name for documents formerly known as Material Safety Data Sheets, which are produced to give information to workers.

To assess whether companies meet the requirements of CA law that go into effect in 2023:

- Does the company indicate when chemicals identified as of concern under CA's Proposition 65 are in the product? These are required starting in 2023.

To assess whether companies have adopted New York State's Best Management Practices:

- Does the company indicate the level of its disclosure? NYS identifies tiers of disclosure and recommends

checking which level a company is providing, for general ingredients, and separately for fragrances. No companies we surveyed provide this information.

- Are chemicals of concern identified individually? This allows people to see how many chemicals appear on designated lists, and by seeing the order of ingredients, how much of the product is made up of these chemicals.
- Does the company disclose any studies they have conducted or commissioned to assess health and environmental considerations for the product or chemicals present in them? If so, are there links provided? No companies provide this information.
- Are fragrance ingredients disclosed below 100 parts per million?
- Does the company provide a link to NYS Best Management Practices?
- NYS includes six lists of chemicals of concern that are not part of CA's designated lists. Are these identified?
- Does the company provide Globally Harmonized System (GHS) hazard language? These are determined by product, and include things like skin sensitizers, respiratory irritants, and eye irritants.
- Are nonfunctional byproducts (which are added during the manufacturing process, but have no purpose in the final product) or contaminants (present in the raw materials unintentionally) that appear on designated lists disclosed beyond the 34 required by CA law?

# APPENDIX E:

## PRODUCTS SURVEYED

### Clorox®

clorox.com

Note: All items below are Clorox Brand

- 2 Stain Remover & Color Brightener Liquid
- 4 in One Disinfecting Spray, Citrus
- Anywhere Hard Surface Everyday Daily Sanitizing Spray
- Automatic Toilet Bowl Cleaner Tablets, Unscented
- Bathroom Foamer With Bleach, Original Scent
- Cleaning Bleach With the Scent of Lemon Fresh Pine-Sol
- Clean-Up Cleaner + Bleach Original
- Disinfecting Wipes
- Disinfecting Wipes: On The Go
- Performance Bleach With CLOROMAX
- ProResults Patio & Deck Cleaner
- Scented Bleach Clean Linen
- Scentiva Disinfecting Wet Mopping Cloths, Tuscan Lavender and Jasmine
- Scentiva Multi-Purpose Cleaner Fresh, Brazilian Blossoms
- Toilet Bowl Cleaner – With Bleach Rain Clean
- Toiletwand System
- Ultra Clean Disinfecting Wipes
- Urine Remover, Unscented
- Zero Splash™ Bleach Crystals
- Zero Splash™ Bleach Pen Gel

### Colgate-Palmolive:

colgatepalmolive.com/en-us

- Ajax® Powder Cleanser with Bleach
- Ajax® Ultra Bleach Alternative Citrus Berry Splash

- Ajax® Ultra Bleach Alternative Grapefruit
- Ajax® Ultra Charcoal + Citrus
- Ajax® Ultra Super Degreaser Lemon
- Murphy® Oil Soap Soft Wipes
- Murphy® Oil Soap Squirt and Mop Floor Cleaner
- Murphy® Orange Oil Spray
- Murphy® Original Formula Oil Soap
- Palmolive® Coconut Water & Jasmine
- Palmolive® eco®, Green Apple Scent
- Palmolive® Pure + Clear Original
- Palmolive® Pure + Clear Lavender and Eucalyptus
- Palmolive® Ultra Antibacterial
- Palmolive® Ultra Lavender and Lime
- Palmolive® Ultra Oxy Power Degreaser
- Palmolive® Ultra Passion Fruit & Mandarin
- Palmolive® Ultra Soft Touch Almond & Blueberry Scent
- Palmolive® Ultra Soft Touch Aloe & Citrus
- Palmolive® Ultra Strength

### P&G (Procter and Gamble)

us.pg.com

- Cascade® Free & Clear Actionpacs Dishwasher Detergent, Lemon Essence
- Cascade® Platinum Rinse Aide
- Cascade® Platinum+ Dishwasher Cleaner Action Dishwasher Detergent Actionpacs, Fresh Scent
- Comet® Cleaner with Bleach
- Comet® Disinfecting Sanitizing Bathroom Cleaner
- Dawn® Ultra Dishwashing Soap, Original Scent
- Febreze® CAR Forest
- Febreze® CLOTHING Gain Original
- Febreze® FABRIC Free Nature



- Febreze® FABRIC Ocean
- Febreze® PLUG Gain Original Scent
- Febreze® WAX Melts, Gain Original Scent
- Gain® Botanicals, Orange Blossom Vanilla
- Gain® Original Fireworks Scent Booster
- Joy® Ultra Dishwashing Liquid, Lemon Scent
- Mr. Clean® Clean Freak Mist with Lemon Zest
- Mr. Clean® Magic Eraser Extra Durable
- Mr. Clean® Multi-Surface Cleaner with Febreze® Meadows and Rain
- Swiffer® Heavy Duty Pet Dry Sweeping Cloth Refills with Febreze® Odor Defense
- Swiffer® Sweeper Wet Heavy Duty Lavender Vanilla & Comfort mop pads

#### **RB (formerly Reckitt Benckiser)**

[rb.com/us/](http://rb.com/us/)

- Air Wick® Essential Mist - Apple Cinnamon Medley
- Air Wick® Room Spray – Fresh Linen Scent
- Easy-Off® Fume Free Max Oven Cleaner Aerosol - Lemon Scent
- Easy Off® Specialty Kitchen Degreaser – Lemon Scent
- Finish® Dishwasher Cleaner Tabs
- Finish® Gel - Lemon Scent
- Glass Plus® Cleaner
- Lime-A-Way® Toilet Bowl Cleaner
- Lime-A-Way® Trigger: Bathroom Spray
- Lysol® Daily Cleaner
- Lysol® Disinfectant Spray - Lemon Breeze
- Lysol® Disinfecting Wipes - Lemon and Lime Blossom
- Lysol® Laundry Sanitizer - Free & Clear
- Lysol® Toilet Bowl Cleaner Power Plus Lavender Fields
- Mop & Glo® Multi-Surface Floor Cleaner - Fresh Citrus Scent
- Old English® Furniture Polish Aerosol - Almond Scent

- Resolve® Pet Expert Stain Remover
- RID-X® RV Toilet Treatment - Citrus Scent
- Spray'N Wash® Max™ Laundry Stain Remover
- Woolite® Darks Laundry Detergent - Midnight Breeze Scent

#### **Seventh Generation (Subsidiary of Unilever)**

[www.seventhgeneration.com](http://www.seventhgeneration.com)

Note: all products below are Seventh Generation brand.

- All Purpose Cleaner – Free and Clear
- All Purpose Cleaner – Fresh Morning Meadow Scent
- Dish Liquid – Lavender Flower and Mint Scent
- Dish Liquid – Lemongrass and Clementine Zest Scent
- Dishwasher Gel – Lemon Scent
- Dishwasher Packs, Free and Clear
- Dishwasher Packs, Lemon Scent
- Disinfectant Spray – Eucalyptus, Spearmint and Thyme Scent
- Disinfectant Spray – Fresh Citrus and Lime Scent
- Disinfecting Wipes
- EasyDose™ Ultra Concentrated Laundry Detergent – Free and Clear
- EasyDose™ Ultra Concentrated Laundry Detergent – Fresh Lavender Scent
- EasyDose™ Ultra Concentrated Laundry Detergent – Tropical Grove Scent
- Glass Cleaner – Free and Clear
- Glass Cleaner – Sparkling Seaside Scent
- Laundry Detergent – Fresh Citrus Scent
- Laundry Detergent – Fresh Lavender Scent
- Laundry Detergent Packs – Free and Clear
- Ultra Power Plus Laundry Detergent – Free and Clear
- Ultra Power Plus Laundry Detergent – Fresh Citrus Scent

# APPENDIX F:

## CORPORATE RESPONSES TO CHNY'S INQUIRIES AND FINDINGS

Another way to assess how a company helps customers understand ingredients is to call their customer service lines. We reached out to the general customer service numbers for each company. We also made efforts to reach relevant staff through our connections to the industry, asked for verification of our findings, and adjusted the results presented above based on their responses, when warranted.

### CLOROX

**Consumer perspective:** We called the company's toll-free product hotline, explained that we had detailed questions about product ingredient disclosure and asked to speak to a specialist, but were told none were immediately available. Asked why benzophenone is present as a scent ingredient in three of the company's products, why benzene is present in a fourth, and why Safety Data Sheets are not available on line for all products, a company representative promised to seek answers from a response team. We did not receive replies.

**Corporate engagement:** We were able to reach a relevant staff person who reviewed our analysis of the company's disclosure. Their response was incorporated into this report.

### COLGATE-PALMOLIVE

**Consumer perspective:** Reached by telephone, a Colgate-Palmolive representative told CHNY staff that the company's ingredient disclosures are undated to avoid confusion and the spread of false information, and

that while older Safety Data Sheets do not include concentrations of chemicals, sheets updated in 2019 and later do contain this required information. The representative offered CHNY staff updated Safety Data Sheets, but did not follow up.

The representative also stated that fragrance ingredients are withheld because they are a trade secret, which is allowed under both California law and New York State regulations as long as certain chemicals which are known to be harmful are not present.

**Corporate engagement:** We sent our analysis of Colgate-Palmolive's ingredient disclosure program to a relevant employee, and received no reply.

### P&G (PROCTER AND GAMBLE)

**Consumer perspective:** We asked a company "product expert" by telephone why only some products' data sheets are posted on the SmartLabel® site. The representative was unable to immediately answer the question but promised to investigate and call back. They did not.

**Corporate engagement:** We were able to reach a relevant staff person who reviewed our analysis of the company's disclosure. Their response was incorporated into this report.

### RB

**Consumer perspective:** A customer service representative was not able to immediately explain why the company's official Web site



does not include five products, detailed disclosure on safety data sheets, or the lack of a designated staffer to answer questions such as ours. This representative promised to pass CHNY's questions to a specialist. We have not heard back.

**Corporate engagement:** We were able to reach a relevant staff person who reviewed our analysis of the company's disclosure.

### SEVENTH GENERATION

**Consumer perspective:** A call center staffer was able to immediately answer all of CHNY's questions.

**Corporate engagement:** We were able to reach a relevant staff person who reviewed our analysis of the company's disclosure. Their response was incorporated into this report.

## APPENDIX G:

### END NOTES

1. <https://www.newsweek.com/impact-cleaning-products-lung-health-bad-20-day-cigarette-habit-study-810277>
2. <https://www.womensvoices.org/safe-cleaning-products/safe-cleaning-fact-sheets/cleaning-products-health/>
3. [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180SB258](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB258)
4. <https://www.dec.ny.gov/chemical/109021.html>
5. <https://www.nysenate.gov/legislation/laws/ENV/A35>
6. <http://bit.ly/NYSHouseholdCleansingProductRegs>
7. [https://www.dec.ny.gov/docs/materials\\_minerals\\_pdf/cpidbmps.pdf](https://www.dec.ny.gov/docs/materials_minerals_pdf/cpidbmps.pdf)
8. <https://www.chemicalfootprint.org/resources/entry/seventh-generation-profile>



# CLEAN & HEALTHY NEW YORK

Clean and Healthy New York is a state-based environmental health advocacy organization that works at local, state, and national levels to promote safe chemicals, a sustainable economy, and a healthy world.

[chny.org](http://chny.org)