

**Date:** 03/09/2010

**Committee:** House Education

**Department:** Education

**Person Testifying:** Kathryn Matayoshi, Interim Superintendent of Education

**Title of Bill:** SB 2709, SD1 (SSCR 2533) RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS.

**Purpose of Bill:** Adds the design for the environment program of the United States Environmental Protection Agency and the EcoLogo program administered by TerraChoice Environmental Marketing Inc. as additional programs whose approved cleaning and maintenance products will be given first preference by the DOE in the purchase and use of cleaning and maintenance products in public schools. (SD1)

**Department's Position:** This bill changes the identifier of environmentally sensitive products from the Green Seal program to include the Design for the Environment Program of the United States Environmental Protection Agency and the EcoLogo program administered by TerraChoice Environmental Marketing Inc. The Department of Education recommends references to the EcoLogo program be deleted as the two lists from the United States Environmental Protection Agency is adequate. The Department will defer to the Department of Health on this bill.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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In reply, please refer to:  
File:

**COMMITTEE ON EDUCATION**

**SB 2709, SD1, Relating to Environmentally Sensitive Products**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**March 9, 2010  
2:30 P.M.**

1 **Department's Position:** We support the draft if an amendment is made to remove the Department of  
2 Health's role.

3 **Fiscal Implications:** None

4 **Purpose and Justification:** The bill directs the Department of Education to use cleaning products for  
5 the public schools that have been approved by the Design for the Environment program of the United  
6 States Environmental Protection Agency, the EcoLogo program administered by TerraChoice  
7 Environmental Marketing Inc., or the Green Seal program, pursuant to section 321-26.5, for use in  
8 public school facilities. In addition, the bill directs the Department of Health to maintain a list of  
9 products that have been approved by these third parties and to review and evaluate existing research  
10 regarding environmentally-sensitive cleaning and maintenance products issued by the Environmental  
11 Protection Agency.

12 All three of the third-parties referenced in Section 1 maintain their own lists of approved  
13 products and all of these are publicly available on their respective websites. Therefore, the maintenance  
14 of a list by DOH adds no value and is not necessary. Additionally, the evaluation of existing research

1 issued by the Environmental Protection Agency by the DOH adds little practical value. Given the  
2 current difficult fiscal conditions, maintaining guidelines, specifications, and a list of environmentally-  
3 sensitive cleaning and maintenance products, and conducting research, are better left to EPA or national  
4 organizations, rather than state agencies.

5 We ask that SECTION 2 of the bill delete section 321-26.5, not merely amend it.

6 Thank you for the opportunity to testify on this matter.

TESTIMONY of  
THE CONSUMER SPECIALTY PRODUCTS ASSOCIATION

*regarding*

Hawaii Senate Bill 2709 (Sen. Hanabusa)

*“Relating to: Environmentally Sensitive Products.”*

*submitted to the*

HOUSE COMMITTEE ON EDUCATION

STATE of HAWAII

March 9, 2010

Submitted by: Sean Moore, Manager, State Affairs

Chairman Takumi and distinguished members of the House Education Committee, the Consumer Specialty Products Association (CSPA) wishes to submit the following testimony in **support of Senate Bill 2709**. CSPA supports the goals of protecting human health and reducing the human impact on our environment, and we believe this legislation will result in a stronger environmentally-preferable cleaning program for Hawaii's schools.

CSPA is the premier trade association representing the interests of approximately 240 companies engaged in the manufacture, formulation, distribution and sale of approximately \$80 billion annually in the U.S. of hundreds of familiar consumer products that help household, institutional and industrial customers create cleaner and healthier environments. Our products include disinfectants that kill germs in homes, schools, hospitals and restaurants; candles, fragrances and air fresheners that eliminate odors; pest management products for home and garden; cleaning products for use throughout the home; products used to protect and improve the performance and appearance of automobiles; and a host of other products used every day.

### **S.B. 2709 Ensures Adequate Flexibility in Selecting Environmentally-Sensitive Cleaning Products**

There is no universally accepted definition of what constitutes "environmentally sensitive". As such, there exist multiple third-parties with the intent to identify those products that have a reduced impact on human health and the environment, while remaining as effective as a "traditional" cleaner. Each third-party has its own criteria that must be met to earn the right to use its logo, and each program differs in aspects such as the fees charged to review and accredit a product, the time it takes to move a product to market, and the level of service and feedback given.

Of the 8-states that have similar requirements in place for schools, **Hawaii is the only state that currently relies on a single entity** to approve environmentally-sensitive cleaning and maintenance products. S.B. 2709 ensures that schools will not be forced to rely on just one entity to identify which products meet the intent of the green cleaning program. This improvement to current statute stimulates competition among third parties, prevents outsourcing the role of government oversight to one single non-governmental organization, and encourages innovation rather than requiring businesses to conform to a single set of guidelines. Having multiple options is also important to small businesses and start-ups that may not be able to afford the high cost of certifications that require a large initial payment and annual renewal fees (e.g. Green Seal).

### **S.B. 2709 Protects Essential Cleaning and Disinfecting Products That Defend Public Health**

The proper use of cleaning products and antimicrobials, such as disinfectants and sanitizers, is an effective and proven way to reduce the primary causes of disease, infection, asthma, and other health threats. These products are used every day in a variety of settings, including homes and offices as well as hospitals and schools to ensure clean and sanitary environments.

Cleaning and disinfecting products are crucial in preventing and mitigating the **Norovirus, Flu Outbreaks** and **Staph Infections (including MRSA)**, and also help prevent unsanitary restrooms, which can pose serious health risks, such as: contracting **hepatitis, shigella**, or other diseases related to viral or bacterial infection. The use of antimicrobial products on food surfaces can help protect against **Salmonella, E.coli** and other bacterial contamination on food. These products also help kill and protect against **mold** and **mildew**, which are **proven asthma triggers** for children and adults.

Furthermore, cleaning and disinfecting products are part of the first-line of defense against infection and disease and re-establishing sanitary conditions in emergencies and natural disasters.

The U.S. Environmental Protection Agency (EPA) regulates antimicrobial products and currently prohibits these products from making green claims. Due to EPA's policy, disinfectants and sanitizers have been excluded from third-party certifications and recognition of environmentally preferred products, such as Green Seal's GS-37 standard. S.B. 2709 ensures that schools will not be unintentionally discouraged from purchasing and using disinfectants and sanitizers as part of a responsible cleaning program.

### **Conclusion**

Cleaning and disinfecting products are *essential* for the preservation of safe, sanitary and disease-free buildings, particularly schools. CSPA and our members believe S.B. 2709 will strengthen the environmentally-preferable cleaning program for Hawaii's schools and is good for everyone: state agencies, industry, schools, janitorial staff and Hawaii's students.

CSPA is not opposed to adopting further amendments that would remove to Department of Health's role in maintaining a list of approved products. Consistent with the Department's testimony, all three of the third-parties referenced in Section 1 maintain their own lists of approved products and all of these are publicly available on their respective websites.

CSPA *urges your support for S.B. 2709 without further amendments to Section 1*, which could undermine the broad support this bill currently enjoys. Thank you very much for considering our position on this exceedingly important issue. I apologize that I am unable to appear in-person to present this testimony, given the prompt scheduling of the public decision making, but would welcome any questions or discussion of CSPA's testimony. I can be reached directly at 202-833-7308, or via email at [smoore@cspa.org](mailto:smoore@cspa.org).