

NOTES ON THE SAFE CHEMICALS ACT OF 2011 (S. 847)

The use of efficient, human-relevant chemical testing methods is inextricably linked to this legislation’s ability to protect public health. Continued reliance on animal-based toxicity tests will take decades--the time, money, and infrastructure to test all chemicals and mixtures of chemicals in animals simply does not exist. Cell- and tissue-based, nonanimal methods will provide better information, faster.

The Safe Chemicals Act of 2011 has been improved substantially over the Safe Chemicals Act of 2010 from this perspective, especially with regard to the use of flexible testing strategies for existing chemicals. Here we offer additional suggestions.

ELEMENTS TO IMPROVE — The bill should:

- **Require the use of non-animal methods where appropriate.** The EU has done this since 1986, and requiring the use of new methods is proven to stimulate innovation.
- **Extend the flexibility prescribed in the existing chemicals section to the new chemicals section.** Currently, producers submit a minimum data set to EPA when they announce intent to manufacture a material. Although the bill exempts testing if data already exists, companies may not be aware of this existing data, or of possible reduced data sets that might be acceptable without first consulting with EPA.
- Direct Congress to appropriate a specific dollar amount to further the development of non-animal testing methods.
- Specify that members of the Science Advisory Board on Alternative Testing Methods must have demonstrated expertise in alternative methods. The Board should also include public members, not just government scientists.
- Direct the EPA to update the “list of alternative methods” on an ad-hoc basis as new methods become available but at least annually.

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ELEMENTS TO KEEP – The bill:

- Encourages the use of scientifically acceptable non-animal methods and maximizes the use of existing data.
- Leaves the determination of minimum data set up to EPA and requires varied or tiered testing for different chemical substances, mixtures, and categories—this flexibility is essential to keep the law relevant as science changes.
- Directs the EPA to conduct and fund the development of new non-animal methods.
- Contains reasonable criteria for waiving animal testing requirements in appropriate cases.
- New chemicals should be improved to allow for agency consultation before data generation and creation of tiered testing frameworks.

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