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Office of the White House Press Secretary

THE WHITE HOUSE

FACT SHEET

S. 3149 - THE TOXIC SUBSTANCES CONTROL ACT

The President today signed S. 3149 - The Toxic Substances Control Act. This Act provides, for the first time, comprehensive authority for the Federal Government to regulate all substances or the use of all substances that may produce toxic effects.

HIGHLIGHTS

This new law will better enable us to minimize the risk of unknown hazards to health of the environment from toxic substances while permitting us to continue to reap the benefits which these substances can contribute.

The bill contains some 53 pages of intricate regulatory material.

Generally speaking, the bill gives authority to the EPA Administrator to:

- require private industry to provide test data and supply detailed information on specified substances;
- prevent, or place limitations on, the marketing of new substances which the Administrator believes harmful; and,
- ban or limit continued marketing of existing substances.

The Toxic Substances Control Act is designed to prevent problems. By allowing early and selective regulation of only those uses that are likely to be hazardous, the Act minimized adverse regulatory impacts on the chemical industry. In addition, this preventative approach should help reduce the need for regulations under other laws which hurt important industries such as fishing, food processing, and the many other manufacturers who rely on chemical products.

BACKGROUND

New chemical substances are being formulated rapidly and new commercial applications are being found almost daily. The production of metals, metal compounds and synthetic organics, which has been growing at a rate of 10 to 15% over the past 20 years, will continue to provide many new benefits to our society. For example, organic chemicals, which can be tailored in structure and properties to fit almost any imaginable need, are being used in ever-increasing quantities to produce dyes, pigments, flavors, perfumes, plastics, rubber products, detergents, pharmaceuticals, and so on. Yet, substances which in some applications have been extremely useful have been found in other applications to cause unanticipated and undesirable side effects on the environment and human health. Examples are vinyl chloride, polychlorinated and polybrominated biphenyls, kepone, fluorocarbons, and lead.

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There presently exists a number of statutory authorities to regulate toxic substances. Among these are the:

- Federal Food, Drug, and Cosmetic Act which regulates substances which are used as foods, drugs, or cosmetics;
- Occupational Safety and Health Act which regulates contact with substances in the work place;
- Consumer Product Safety Act regulates dangers from consumer products;
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) which regulates substances used as pesticides;
- Safe Drinking Water Act which regulates the level of toxic substances that can be present in drinking water supplies;
- The Federal Water Pollution Control Act provides for State and Federal regulation over industrial discharges of toxic pollutants into the Nation's waters.

However, there are certain important gaps in the regulatory framework. For example, there is presently no effective way to regulate PCB's until and unless their dispersion into the environment affects water supply. This type of situation would be subject to control under various provisions of the bill.

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