

PRINCIPLES FOR SAFE, HEALTHY, RESPONSIBLE AND TOXIC-FREE RETAIL

Thousands of toxic or untested chemicals are in the products sold in major retail stores and are placed into workers' and communities' environments during the production and disposal of products we buy and use every day from these stores. Many of these chemicals have been linked to serious impacts on the environment and human health, including cancer, mutations, birth defects, infertility, damage to the nervous, endocrine and reproductive systems, and respiratory damage.

We are calling for major retailers to act in a morally responsible way by phasing out toxic chemicals in the products sold in the largest chain retail stores and in the production processes used to make these products. We want the largest retail chain stores **to protect the health and safety of workers and communities here and abroad by minimizing and eventually eliminating the use of toxic chemicals produced or used in the extraction, production, transport, and disposal of products and in the products themselves.**

The following **overarching principles of ethical retailer behavior and standards for implementation** would apply to major retailers, including their corporate offices, retail operations in the United States and abroad, retailer-owned production facilities in the United States and abroad, and the production facilities of their subsidiaries, contractors, suppliers, and vendors in the United States and abroad.

We want these major retail chains to use their influence over their supply chains to change the way the products they sell are made, including adopting the principles of **sustainable production,ⁱ cradle to cradle design,ⁱⁱ precaution,ⁱⁱⁱ green chemistry,^{iv} and environmental justice.^v**

Retailers should implement the principles and standards described below for their private brands immediately, and then for other brands expeditiously. Whenever possible, the retailer should ensure that suppliers meet these standards; when the retailer cannot ensure that suppliers do so, the retailer should stop sourcing products or services from those suppliers.

It is also vital that retailers do not support public policies or political candidates that are inconsistent with these principles. We believe that undermining any public policy that aims to phase out toxics and fulfill the other objectives described here would seriously compromise any retailers' commitment to these principles.

We see these principles and standards as a starting point, and we believe that continuous improvement of practices is essential.

Overarching Principles for Retail Chains

- 1. Eliminate the Worst Toxic Chemicals First**
- 2. Protect Workers, Communities, and the Environment**
- 3. Publicly Disclose Information about the Toxics in Products and Production Processes**
- 4. Move to a Safer System**
- 5. Reduce Wastes and Make Disposal Safe**
- 6. Report on Progress and Allow Independent Monitoring**

1. Eliminate the Worst Toxic Chemicals First

To protect consumers, workers, and communities, the retailer should establish a ***policy, plan of action, and timeline with benchmarks*** for the phase out of toxic chemicals:

- 1) in the ***products*** sold by the retailer;
- 2) in the ***production processes*** for the products sold by the retailer, including those used in resource extraction, manufacturing, and agriculture;
- 3) that are created as ***by-products of production or as a result of disposal***. This would include those processes that would result in the need for water treatment in perpetuity, such as sulfuric acid generation.
- 4) in the ***materials*** used in the retailers' facilities, including building materials and cleaning supplies.

The retailer should ***prioritize the elimination of compounds and chemicals that are internationally recognized as most toxic***, such as those that are slow to degrade, accumulate in our bodies or living organisms, or are highly hazardous to humans or the environment, including those known or strongly suspected to cause cancer, mutations, birth defects, infertility, damage to the nervous, endocrine or reproductive systems, or cause respiratory damage. Priority should be placed on persistent bioaccumulative toxic chemicals (PBTs) for elimination. The retailer should, over time, audit its products for priority chemicals and move toward reducing and eventually eliminating those compounds.

The retailer should ***create a watch list*** of chemicals from authoritative lists that the company monitors (see attached). Within that watch list, the company should ***prioritize for removal the most toxic chemicals***. These include recognized PBTs, vPvBs (very persistent and very bioaccumulative chemicals), chemicals on the OSPAR (Commission for the Protection of the Marine Environment of the North-East Atlantic) List of Chemicals for Priority Action, and chemicals of emerging concern that are found in the bodies of people and wildlife, like chlorinated, brominated, and perfluorinated chemicals. Other high hazard chemicals include authorization chemicals under REACH, as well as neurotoxicants.

The retailer should ***act on early warnings to prevent harm from new or existing chemicals*** and processes when credible evidence of harm exists, even when some uncertainty remains regarding the exact nature and magnitude of the harm.

The retailer should take action across its product supply chain, both in the United States and in other countries, to ***ensure that chemicals eliminated in products and processes in the United States are not transferred to other countries***.

2. Protect Workers, Communities, and the Environment

The retailer should ***ensure that the retailer's own operations and suppliers develop systems to regularly and comprehensively monitor production processes, by-products, and waste disposal in all processes, including those in resource extraction, manufacturing and agriculture***, to determine if workers or communities are exposed to chemical hazards.

The retailer should ensure that ***immediate actions are taken to eliminate hazardous exposures in the retailer's own operations and those of its suppliers*** when communities or workers are exposed to levels of toxic chemicals that pose a clear health hazard.

The retailer should ***ensure the elimination of the release or disposal of highly toxic wastes in its own operations and those of its suppliers***, including the internationally recognized most toxic substances and toxic wastes from resource extraction, and the retailer should also ***minimize the release or disposal*** of any toxic wastes into the air, ground, ocean, rivers, lakes, or streams.

The retailer should commit to being responsible for the ***clean up of any extraction sites or production facilities or sites*** where toxic chemicals have been released into the environment.

The retailer should ensure that there are ***safe working conditions in its own facilities and those of its suppliers*** with regard to the use, release, movement, and storage of toxic chemicals. The retailer should ensure that information is provided to workers regarding toxic chemicals they are exposed to and allow for ***meaningful involvement for workers*** in relevant decisions about exposure to toxic chemicals.

The retailer should ***reduce and eliminate toxic air emissions in transport and distribution system*** to protect public health and the environment. The retailer should set standards for environmentally responsible ship, rail and truck transport from point of production to point of sale to prevent and reduce toxic air emissions that degrade air quality and cause asthma, cancer and other diseases in people.

The retailer should ensure that ***all in-country environment and labor laws are followed*** in order to protect workers and communities, and that ***freedom of association is respected*** at all levels of the supply chain.

The retailer's commitment to a toxic-free supply chain should include ***paying a price that accurately reflects the cost of production*** and maintaining long term relationships with suppliers.

3. Publicly Disclose Information about the Toxics in Products and Production Processes

The retailer should require suppliers to ***identify the chemical components of products, and provide information to the consumer and the public on the extent of toxicity testing on those chemicals***. Over time, the company should prefer products with full data on the toxicity of component chemicals.

Products should be labeled if they contain toxic chemicals. The retailer should provide publicly available and easily accessible safety information about chemical ingredients that is sufficient to permit a reasonable evaluation of the safety of the chemical for human health and the environment, including hazard, use and exposure information for workers and consumers.

The retailer should require suppliers to ***identify the toxic chemicals used in production processes***, including those used in resource extraction, manufacturing, and agriculture, as

well as the potential for the generation of high hazard chemicals as a result of those processes.

The retailer should *ensure the disclosure of full information on the release or disposal of toxics into the environment from its own facilities and those of its suppliers*, as under the requirements of the U.S. Toxics Release Inventory. The retailer should post this information on its website.

The retailer should commit to *immediately reporting on serious emergencies* caused by chemical releases at their facilities and those of its suppliers, as under current U.S. domestic law.

The retailer should ensure that workers are provided access *to chemical hazard, use and exposure information* which should be posted in workplaces in their native languages.

The retailer should ensure that information on the *transport of toxic chemicals* is disclosed to local communities and to appropriate government officials when those shipments pose a hazard and are substantially represented by the company's products.

4. Move to Safer Systems

The retailer should commit to *researching and developing safer substitutes* for all products and production processes, including sustainable chemicals, products, materials and processes. The retailer should encourage suppliers to provide information on safer alternatives. The retailer should also *specify safer building materials* in its new and renovation facility construction projects.

The safety of an alternative should be determined by considering a substance's toxicity to living things, its persistence in the environment, its ability to increase in concentration in the food chain, its contamination of our bodies, or qualities it possesses that pose hazards, including carcinogens, endocrine disrupters, mutagens, reproductive toxins, and developmental toxins.

The retailer should provide for an *ongoing review of safer materials, chemicals, and production processes as effective, cost-competitive alternatives are available*.

The retailer should commit to rewarding suppliers for designing new products and redesigning existing products to reduce the environmental impacts of the product, using the principles of *green chemistry and 'cradle to cradle' design*. The retailer should *provide suppliers with supports and incentives to design products for recyclability as well as reduced toxicity*.

The retailer should increase availability of socially and environmentally sustainable products, including *local, organic and fair trade products*, without trying to lower standards for products.

5. Reduce Wastes and Make Disposal Safe

The retailer should require manufacturers to disclose publicly all hazardous substances, and proper techniques for managing them by consumers and recyclers, through *clear labels on devices and all their hazardous components*.

The retailer should pursue “zero waste” by purchasing products with the highest possible recycled content; by ensuring zero waste in its retail operations, including through waste prevention, reuse, recycling and repair; and by providing public education about ***how consumers can manage products at the end of their useful lives*** (i.e. reusing, recycling, and composting).

The retailer should also commit to ***encouraging the take back and recycling of product components***, including actively considering the ***establishment of an on-site take-back program*** and by favoring manufacturers that have established ***extended producer responsibility (EPR)*** for e-waste and other hazardous waste.

Consistent with the principles of environmental justice, the retailer should work with suppliers, recyclers, and civil society to ensure that ***hazardous wastes generated from the products they sell are not exported to developing countries***. Retailers should support civil society initiatives that seek to prevent toxic trade, such as the Electronic Recyclers’ Pledge of True Stewardship.^{vi}

6. Report on Progress and Allow Independent Monitoring

The retailer should ***undertake public reporting on progress made*** regarding the phase-out of toxic chemicals in products and production processes, reduction goals, and progress to meet goals. The retailer should provide for the regular independent auditing of suppliers and vendors and report the results to evaluate claims on product content and toxicity, as well as the toxicity of production processes.

The retailer should adopt and enforce a code of conduct that includes health and safety requirements for facilities, including provisions for minimizing worker exposure to toxic chemicals. The retailer should include questions on toxic chemical use and dumping as part of ***worker interviews*** during independent monitoring.

The retailer should allow and encourage ***independent, third-party, grassroots monitors*** to make unannounced visits to factories and other facilities to check that the code of conduct and toxic chemical commitments are being upheld.

ⁱ <http://sustainableproduction.org/abou.what.shtml>

ⁱⁱ http://www.mbdc.com/c2c_mbdp.htm

ⁱⁱⁱ <http://www.sehn.org/ppfaqs.html>

^{iv} <http://www.greenchemistry.uml.edu/html/generalinfo/understand.htm>

^v <http://www.ejnet.org/ej/principles.html>

^{vi} <http://www.ban.org/pledge1.html>