July 28, 2021

Via OIRA_Submissions@omb.eop.gov

Sharon Block
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
262 Old Executive Office Building
Washington, DC 20503

Re: ICR Reference No: 202106-2070-002
TSCA Section 8(a)(7) Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances; Proposed Rule, 86 Fed. Reg. 33,926 (Jun. 28, 2021)

Dear Ms. Block:

The Ad Hoc Downstream Users Coalition on PFAS (Coalition) is comprised of trade associations representing a broad cross-section of U.S. industry -- the Alliance for Automotive Innovation (Auto Innovators), the American Forest & Paper Association (AF&PA), the Association of Equipment Manufacturers (AEM), the Motor & Equipment Manufacturers Association (MEMA), the Outdoor Power Equipment Institute (OPEI), the Plastics Industry Association (PLASTICS), and the Toy Association. These associations together speak for thousands of their respective individual member companies that are product and product component manufacturers and companies involved in downstream portions of the consumer and commercial product supply chain.[1] A detailed description of the Coalition members for this rulemaking is enclosed.

We thank you for the opportunity to comment on the above-captioned information collection request (ICR), submitted by the Environmental Protection Agency (EPA) under the Paperwork Reduction Act (PRA). While the underlying rule and information collection are nominally aimed at chemical "manufacturers," the rule as proposed will have a far broader reach and include tens of thousands of companies that import articles each year and may have little or no knowledge of the chemical composition of articles, or the individual components of articles that they import.[2] EPA has grossly underestimated both the number of companies that will be required to investigate and potentially report on the products they import or process domestically, and the time and management burden associated with the necessary investigations. While EPA is required by a 2019 amendment to the Toxic Substances Control Act (TSCA) to issue an information collection rule

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[1] Each association is a not-for-profit organization serving as a collective voice for their respective members.

[2] The proposed rule is applicable to any person that, among other things, imports any finished article or component that may intentionally or inadvertently contain one or more of the thousands of reportable chemicals. The U.S. Census Bureau reports that more than 224,000 individual companies imported goods into the US in 2019. While a portion will be able to avoid the investigations required by the ICR based on their product category, many tens of thousands will remain subject to investigation and reporting obligations. See U.S. Census Bureau, Department of Commerce, "A Profile of U.S. Importing and Exporting Companies, 2018-2019," Release Number: CB21-52 and Table 7c (April 7, 2021) (available at https://www.census.gov/foreign-trade/Press-Release/edb/2019/index.html).

for perfluoroalkyl and polyfluoroalkyl substances (PFAS),[3] the ICR does not meet the requirements of the PRA, because the Agency has not exercised its discretion to tailor the information collection to assure that it avoids duplication, that it provides information of practical utility, and that it otherwise is the least burdensome approach necessary for the proper performance of the Agency's function. Cf. 5 CFR § 1320.5(d)(1) and (e)(1). The underlying proposed rule also would violate the information collection provisions of section 8 of TSCA. Although EPA is only at the proposed rule stage, we urge OIRA to disapprove this ICR and consult with EPA on designing an information collection that is consistent with the requirements of TSCA and the PRA. A number of Coalition members are submitting separate comments that we urge OIRA to review.

The Proposed Rule and Its Practical Implications

As noted, the 2020 NDAA added a new section 8(a)(7) to TSCA directing EPA to promulgate an information collection rule applicable to manufacturers of "PFAS" and requiring reporting on information within the broad scope of EPA's traditional TSCA section 8 information collection authorities, which include:

- Chemical identity and trade name;
- Categories of use;
- Amounts manufactured or processed, by use and by year;
- All existing environmental and health effects information;
- Description of byproducts from manufacture, processing, use, or disposal;
- The number of workers exposed and the duration of exposure; and
- The manner or method of disposal.

The statute requires EPA to promulgate the final reporting rule by January 2023 but does not specify a deadline for the reporting itself.

Importantly, the statutory text carefully included words to assure that the burden mitigation provisions of TSCA section 8(a) were made applicable to this new information collection, just as they are for all other TSCA section 8(a) rules. New section 8(a)(7) is not a "standalone section" as EPA's preamble suggests;[4] rather Congress specifically directed that the new section 8(a)(7) PFAS rule should be promulgated in accordance with the other provisions of subsection 8(a):

> Not later than January 1, 2023, the Administrator shall promulgate a rule *in accordance with this subsection* ….

TSCA § 8(a)(7) (emphasis added). Section 8(a) has several prudential limits that require EPA to use skill and good judgment in the use of the regulated community's resources. The NDAA amendment requires the PFAS rule to be "promulgat[ed] in accordance with" these prudential

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[3] The National Defense Authorization Act for Fiscal Year 2020 (Pub. L. No. 116-92, section 7351) (added new section 8(a)(7) to TSCA) (NDAA).

[4] 86 Fed. Reg. at 33,929 (col. 1).

limits, which closely parallel and are more restrictive than the 5 CFR § 1320.5(d) standards for ICR approval under the PRA:

- "Small manufacturers and processors" are exempt from section 8(a) reporting in most circumstances [§8(a)(1)];
- Reporting is required only to the extent that the information sought is "known or reasonably ascertainable" [§ 8(a)(2)];
- Only existing health and safety information must be reported, new data development cannot be required [§ 8(a)(2)(E)];
- Reporting rules must specify the level of detail to be reported, including the manner by which exposure and use information may be reported [§ 8(a)(4)(B)];
- To the extent feasible, EPA must not require reporting that is unnecessary [§ 8(a)(5)(A)];
- To the extent feasible, EPA must not require reporting that is duplicative [§ 8(a)(5)(A)];
- To the extent feasible, EPA must minimize the cost of compliance with section 8(a) reporting rules to small manufacturers and processors [§ 8(a)(5)(B)]; and
- To the extent feasible, EPA must direct any reporting obligations to those likely to have the information relevant to the effective implementation of TSCA (and avoid burdening those that do not) [§ 8(a)(5)(C)].

Regrettably, the rule as proposed does not comply with these limits or the PRA approval standards. Indeed, without articulating a consistent reason, EPA takes the position that some of these limits are legally applicable to the planned PFAS reporting while others are not. For example, EPA states that both the section 8(a)(2) "known or reasonably ascertainable" due diligence standard and the section 8(a)(5) bars against duplicative or unnecessary reporting are applicable to limit the scope of permitted section 8(a)(7) PFAS reporting, but also takes the position that the section 8(a)(1) exemption for small manufacturers is not applicable. This assessment is flawed. Failure to abide by the section 8(a) prudential requirements violates the statute.

And while EPA acknowledges the statutory obligations to direct reporting in the first instance against those likely to have the relevant and necessary information, and to avoid unnecessary or duplicative information collection – in each case, "to the extent feasible,"[5] the proposed rule and ICR evidence almost no effort to address these important criteria or to even consider whether a narrower scope was feasible. Instead, the proposed rule defines the class of reportable substances with the broadest possible scope without consideration of relevance or need, and unreasonably omits all of the typical TSCA reporting rule exemptions that otherwise would exempt from reporting small businesses and a range of incidental or unintended manufacturing and imports of reportable chemicals contained in articles. As discussed below, together, these decisions vastly enlarge the potentially responsible reporting cohort from the 234 companies nominally estimated

[5] 86 Fed. Reg. at 33,929 (col. 1).

by EPA in the ICR to many tens of thousands. We appreciate that EPA acknowledged it is unable to estimate the number of article importers who may be subject to the proposed rule.[6]

1. The Family of Reportable Substances Defined by the Rule is Overly Broad and Will Unnecessarily Draw Numerous Duplicative, Low Value Responses

   As proposed, the rule requires reporting on a broad range of fluorinated chemical species, including not only the long chain perfluoroalkyl substances regulated by TSCA SNURs, but also short chain perfluoroalkyls and, perhaps most significantly, essentially all fluoropolymers.

   For example, defining the reportable substances to include fluoropolymers is significant because they have extensive applications in the economy, which greatly multiplies the number of companies potentially responsible for reporting. Common fluoropolymers such as polytetrafluoroethylene (PTFE), poly(vinylidene fluoride) (PVDF), fluorinated ethylene propylene copolymer (FEP) and copolymer of ethylene and tetrafluoroethylene (ETFE) are widely used in an extensive range of basic products that are in turn incorporated into an even wider range of more complex but common commercial and consumer products, such as consumer electronics, touchscreens, chemical resistant tubes, hoses and seals used in cars and power equipment, basic wire and cable insulation, some lithium batteries, solar panels, medical devices and equipment, and common oil, water, heat and soil resistant clothing and textiles. Imports of any of these finished consumer and commercial products would trigger reporting under the rule by the importer.

   Instead of structuring the scope of reporting to manufacturers which may have information on the substances' properties, any potential hazards and uses, the rule scope is not limited and instead will subject tens of thousands of end product importers to investigation and reporting obligations for each of their imported products—even though they are highly unlikely to have any useful information about the fluoropolymer, for example, itself, except perhaps its presence (if confirmed by the supplier). And EPA is already well aware of the common uses of common fluoropolymers. As written, the rule can be expected to generate thousands of duplicative responses confirming that, for example, wiring insulation often is made with a fluoropolymer. EPA's proposed approach to information collection in this instance is a classic example for most reporting entities of a wasteful and needlessly burdensome reporting requirement which will generate duplicative, low value information (minimal practical utility) at great cost.

   The Agency could easily tailor its rule to limit reporting to parties with useful information and limit reporting to substances of particular regulatory interest. Continuing with the fluoropolymer example, it is unclear why EPA would include these polymers within the

[6] See e.g., EPA (2020). Information Collection Request Supporting Statement. Proposed Rule ICR: Reporting and Recordkeeping Requirements for PFAS. EPA ICR No. 2682.01. November 2020, Dkt. No. EPA-HQ-OPPT-2020-0549-0005, at 7 ("EPA is not able to estimate the number of article importers who may be subject to the proposed rule and thus does not include these firms in the total estimated number of respondents").

scope of reporting in this case when it already decided to exclude them from reporting under other TSCA rules. For example, the quadrennial reporting required under the TSCA Chemical Data Reporting rule (CDR), 40 CFR Part 711, exempts all polymers from reporting.[7] Similarly, when EPA initially promulgated and later amended the TSCA SNUR for long chain perfluoroalkyl carboxylates, it excluded from applicability PFAS compounds that are polymers.[8]

2. Absence of Standard TSCA Exemptions

The definition of "manufacturer" under TSCA is very broad. In addition to conventional understandings of manufacturing, it also includes both import activity and a wide range of other activities that technically result in a chemical reaction but that are only incidental to other activities, *de minim*is in scope or otherwise occur in circumstances not warranting EPA oversight. Consistent with the limitations in section 8 and the prudence required of EPA under TSCA section 2(c), EPA typically exempts these products and activities from TSCA reporting and notice obligations.

But EPA is not proposing to provide any of these exemptions under the PFAS reporting rule and has not addressed why it would be infeasible to do so. As a result, companies would need to investigate and report for each fluoropolymer or other PFAS broadly defined that it manufactured or imported in the past 10 years, intentionally or unintentionally, only:

- as part of an article;
- as an impurity;
- at a de minimis volume or concentration;
- as a byproduct or waste;
- as an R&D material;
- as a non-isolated intermediate;
- by reactions incidental to exposure to another substance, mixture or article, or to the environment (exposure of a coated article to air, sunlight, etc.);
- by reactions occurring incidental to storage or disposal; or
- by reactions occurring incidental to use (e.g., curing).

In contrast, all of these exemptions are applicable to CDR reporting, together with additional exemptions for manufacturing less than 25,000 lbs., for small manufacturers, and for manufacture /import of polymers.

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[7] 40 CFR 711.6(a)(1).

[8] See 40 CFR § 721.10536(b)(1) (excluding compounds with chain lengths greater than 20 carbons). Fluoropolymers are excluded because they are large, typically insoluble, inert molecules that generally are not expected to be absorbed by biological systems. As EPA has explained, "there is an exceedingly low probability that potential exposure to high molecular weight water-insoluble polymers, as a class, will result in unreasonable risk or injury to human health or the environment." The Agency recognizes a specific class of fluoropolymers (defined by a specific structural feature) that may generate degradation products of interest, but it could avoid unnecessary reporting by limiting the scope to those materials.

3. Implications for Reporting

As indicated, even considering only the class of PFAS that are fluoropolymers, given their wide use across industries and product classes, the absence of the standard TSCA exemption for imported articles vastly increases the number of companies that will need to investigate and potentially report – so many in fact that even EPA claims it cannot estimate the number.[9] Looking at 2019 import information, it can be estimated based on broad product categories that thousands of additional importing companies may need to investigate whether an imported article or component of an article may contain a reportable chemical.[10] This number would be large even if reporting was confined to intentionally added fluoropolymer components. The burden on companies is even greater because EPA has not excluded reporting for the presence of unintentionally or incidentally produced chemicals, such as impurities.

4. EPA has Underestimated the Burden and Cost of Reporting

EPA's cost estimate model is flawed and grossly underestimates the practical burden. First, as noted, EPA conceded that it underestimated the number of responding companies because its estimates do not include the thousands of companies that import articles. Second, EPA also fails to account for the costs of the applicability investigations that are required, even if a reportable substance in the end is not found. A company is required to report for covered chemicals with information "to the extent known or reasonably ascertainable." This due diligence standard requires a company to:

> …conduct a reasonable inquiry within the full scope of their organization (not just the information known to managerial or supervisory employees). This standard may also entail inquiries outside the organization to fill gaps in the submitter's knowledge. Such activities may, though not necessarily, include phone calls or email inquiries to upstream suppliers or downstream users or employees or other agents of the manufacturer, including persons involved in the research and development, import or production, or marketing of the PFAS.

86 Fed. Reg. at 33,982. Given the broad proposed definition of "PFAS" in the rule and the presence of fluoropolymers in a wide range of articles and other products that may be imported, companies may not be able to reasonably assume that a product in some categories does not contain a covered PFAS. In those circumstances, it may be required to investigate consistent with the due diligence standard. EPA's cost estimate does not include any time or cost for this required investigation phase. See ICR at 3. An internal company search for information on chemical content or impurities in components made by others and then reaching out and corresponding with one or more suppliers for additional information would be time-consuming work, even for one product. But importing

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[9] See note 6 and accompanying text.

[10] See U.S. Census Bureau, Department of Commerce, "A Profile of U.S. Importing and Exporting Companies, 2018-2019," Release Number: CB21-52, Table 7c.

companies may have thousands of different reasonably relevant SKUs that are imported, and each SKU may have hundreds of components. This may result in dozens of hours just to determine applicability for one product.

The practical challenges involved in identifying the individual chemical components of imported articles is not unique to this proposed rule. EPA has long recognized the extreme practical difficulty in identifying the chemical constituents of complex articles.[11] This difficulty coupled with the typically limited environmental safety value in tracking or regulating chemical substances in article form is the reason that Agency rules typically exempt articles from TSCA requirements.

EPA Has Failed to Identify and Tailor the Rule to Meet its Information Needs

The fundamental concern with EPA's approach to the proposed PFAS information collection is that it did not identify with any rigor what PFAS information it actually needs to properly perform its function under TSCA—considering both what EPA already knows and what it needs to know. EPA seems to have abdicated this prudential step entirely and instead taken the position that Congress intended the Agency to try to collect any and all information within EPA's broad section 8(a)(2) authority from any person that could be classified as a manufacturer, with respect to any chemical that could be classified as a PFAS regardless of potential risk. Again, this approach disregards what EPA already knows about the substance and usages, the probable extent and value of the information the respondent is likely to have (given its position in the value chain), the number of companies affected and cost. The Agency's view appears to be that it is required to collect information it does not want or need from person unlikely to have it.

EPA makes little to no effort to tailor the proposed rule to its actual information needs or to limit company investigations and responses toward information of practical utility or to avoid useless duplication — how many investigations and responses from electronic equipment importers are needed to demonstrate that some components are made with or contain fluoropolymer coatings to which no one is reasonably exposed and for which the importer has no useful information on identity or quantity or hazard? This is exactly the kind of information collection initiative that the PRA and the prudential limits on information collection in TSCA section 8(a) were designed to quell.

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[11] When TSCA was first implemented and EPA was compiling the TSCA Inventory, the agency recognized that "[a]s was discussed in the preamble to these proposed regulations (42 FR 39185) comments from Industry and Trade Associations argued that it would be extremely burdensome for importers to identify the chemical substances contained in the articles they import. According to estimates from the American Importers Association, the total direct cost would range from $187 million to about $437 million [in 1977 dollars;] . . . [a]ccordingly, . . . to require an importer of the article to identify its constituent chemical substances would impose a proportionately greater burden." 42 Fed. Reg. 53804, 53805 (October 3, 1977); 42 Fed. Reg. 39182, 39185 (August 2, 1977). Similarly, when EPA finalized rules for PMN reporting, it stated: "[b]ecause it would be enormously difficult for an importer to determine the identity and Inventory status of each chemical substance in imported articles (e.g., automobiles), the rule does not require persons to submit notices on new substances imported as part of articles." 48 Fed. Reg 21722, 21726 (May 13, 1983).

The rule proposal and the ICR where EPA has identified no particular purpose in collecting the information suggest that what information should be collected and from whom was not considered or intentionally not addressed. EPA explains in the proposal that it is conducting the collection because Congress directed it to do so, without giving EPA a purpose, and, regarding its use, EPA only acknowledges that the information collection generally, "supports the Agency's mission in the PFAS Action Plan to identify and better understand these chemicals and to increase scientific research on them," that EPA intends to use information to support assessments of new and existing chemicals under TSCA, and may (or may not) be used in general ways under other environmental statutes.[12] The ICR characterization of the intended use is similar. On this nebulous basis, using CDR as a model, EPA has asked companies to provide detailed production, use and exposure information – 35 or more individual data endpoints by site, by year going back ten years or more, without any discussion of how it would compile and analyze the information to make it useful for its designated purpose (e.g., identify exposure data of sufficient quality for regulatory purposes), and without any plan or cost estimate for EPA's own work other than the cost of initial collection and storage. See ICR at 13. And this estimate is only for 234 responses when tens of thousands should be expected.

EPA Should Be Required to Follow Good Information Collection Practices.

By amending TSCA to add the PFAS reporting provision, Congress signaled to EPA that it should move beyond the voluntary efforts it has pursued for years in various contexts to obtain information on PFAS uses and risks. EPA already had the legal authority under TSCA to collect this information by rule. The amendment merely directed EPA to use that authority and gave it four years – until January 2023 – to identify its TSCA program needs in light of other information available and to design a thoughtful information collection program that (as required by section 8(a) and the PRA), to the extent feasible, directed reporting obligations to those most likely to have useful responsive information, avoided unnecessary or duplicative reporting, minimized the costs to small manufacturers, and assured that the information would have practical utility measured by how well it met the needs of a cogent plan to distill and use all the information collected.

Even without reviewing the scope and utility of the specific categories of information EPA is proposing to collect, it is obvious that EPA's ICR cannot be approved. It contravenes TSCA and is insufficient under the PRA. It should be disapproved.

In its second iteration of this proposal, the Agency does not need to treat it as a one-time opportunity to collect PFAS information. EPA has this general authority. It should be counseled to use its remaining time to develop an appropriate rule for the information it needs now and a specific plan to use it, consistent with TSCA and the PRA. This might include a variety of tiering or other strategies to feasibly focus reporting obligations to those most likely to have useful information and avoid unnecessary and duplicative reporting. We would expect this to include appropriate exemptions for small manufacturers and, absent an articulated particularized need, all imported articles, impurities, non-isolated intermediates and other standard TSCA exemptions for inadvertent or incidental manufacturing not warranting investigation. We also respectfully request

[12] 86 Fed Reg. at 33,929.

a more thoughtful approach to identifying specific PFAS substances and use circumstances that would be useful to the Agency.

Conclusion

These comments are intended to provide OIRA with a clear perspective of the practical implications of EPA's proposed PFAS reporting rule and its inconsistent interpretation of its own discretion. EPA has knowingly provided a significantly incomplete assessment of costs (having omitted article importers) and has not made efforts to tailor the information collection to its needs. Absent some corrective steps -- particularly with respect to the treatment of articles -- this rule would put EPA and industry in the same unfortunate position recently experienced with the TSCA Fees Rule. There, EPA initially failed to recognize the unintentionally broad reach of its rule and the practical impact of not adopting standard TSCA exemptions. It ultimately used enforcement discretion (a "No Action Assurance" letter) as short term, emergency means to limit applicability, which otherwise should have drawn millions of (unintended) individual responses. EPA also recognized the practical inability of downstream users and importers to identify the presence (or not) of particular chemicals in articles they import. EPA concluded that these issues would "adversely impact[] the agency's implementation of the TSCA Fees Rule." *See* EPA "No Action Assurance Regarding Self-Identification Requirement for Certain 'Manufacturers' Subject to the TSCA Fees Rule" Letter, March 24, 2020. The PRA approval criteria – properly applied – should address these concerns and assure that private and government resources to gather more information on PFAS uses and exposure are properly focused to develop useful information for TSCA purposes from those most likely to have it.

We recognize that EPA must fulfill its obligations under TSCA and requires certain information to do so. Members of the Coalition have supported a robust federal approach to chemicals management and appreciate the complexities associated with PFAS and our respective supply chains. We welcome the opportunity to meet with OIRA should clarification or further information be helpful in this process.

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Attachment

About the Ad Hoc Downstream Users Coalition

The Ad Hoc Downstream Users Coalition (Coalition) is comprised of trade associations representing a broad range of U.S. industry -- the Alliance for Automotive Innovation (Auto Innovators), the American Forest & Paper Association (AF&PA), the Association of Equipment Manufacturers (AEM), the Motor and Equipment Manufacturers Association (MEMA), the Outdoor Power Equipment Institute (OPEI), the Plastics Industry Association (PLASTICS), and the Toy Association. These associations together speak for thousands of their respective individual member companies that are product and product component manufacturers and companies involved in downstream portions of the consumer and commercial product supply chain.

Alliance for Automotive Innovation (Auto Innovators)

Formed in 2020, the Alliance for Automotive Innovation is the singular, authoritative and respected voice of the automotive industry. Focused on creating a safe and transformative path for sustainable industry growth, the Alliance for Automotive Innovation represents the manufacturers producing nearly 99 percent of cars and light trucks sold in the U.S., original equipment suppliers, as well as technology and other automotive-related companies. The newly established organization, a combination of the Association of Global Automakers and the Alliance of Automobile Manufacturers, is directly involved in regulatory and policy matters impacting the light-duty vehicle market across the country. The auto industry plays an important and critical role to our nation's economy, accounting for 10 million jobs and 5.5% of the annual Gross Domestic Product. The Alliance for Automotive Innovation is headquartered in Washington, DC, with offices in Detroit, MI and Sacramento, CA. For more information, visit our website http://www.autosinnovate.org.

American Forest & Paper Association (AF&PA)

The American Forest & Paper Association (AF&PA) serves to advance a sustainable U.S. pulp, paper, packaging, tissue and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative — Better Practices, Better Planet 2020. The forest products industry accounts for approximately four percent of the total U.S. manufacturing GDP, manufactures nearly $300 billion in products annually and employs approximately 950,000 men and women. The industry meets a payroll of approximately $55 billion annually and is among the top 10 manufacturing sector employers in 45 states.

Association of Equipment Manufacturers (AEM)

AEM is the U.S.-based international trade group representing off-road equipment manufacturers and suppliers, with more than 1,000 companies and more than 200 product lines across the agriculture, construction, forestry, mining, and utility-related industry sectors worldwide. Collectively, the equipment manufacturing industry in the United States supports 2.8 million jobs and contributes roughly $288 billion per year to the U.S. economy.

Motor & Equipment Manufacturers Association (MEMA)

The Motor & Equipment Manufacturers Association (MEMA) represents more than 1,000 members that manufacture motor vehicle systems and component parts for the original equipment and aftermarket segments of the light vehicle and heavy- duty industries. Motor vehicle suppliers provide over 77 percent of the value of a new vehicle and more than 900,000 jobs are directly supported by the motor vehicle supplier industry in all 50 states. MEMA represents its members through four divisions: Automotive Aftermarket Suppliers Association (AASA); Heavy Duty Manufacturers Association (HDMA); MERA – The Association for Sustainable Manufacturing; and, Original Equipment Suppliers Association (OESA).

Outdoor Power Equipment Institute (OPEI)

OPEI is an international trade association representing the manufacturers and their suppliers of non-road gasoline powered engines, utility terrain vehicles / all-terrain vehicles / side by sides, golf cars, and, consumer and commercial lawn & garden equipment and outdoor power equipment ("OPE") (e.g., lawnmowers, garden tractors, trimmers, edgers, chain saws, snow throwers, tillers, leaf blowers, pressure washers, multi-purpose engines). The OPE industry currently contributes approximately $16 billion to U.S. GDP, domestically ships nearly 40 million products each year, and directly or indirectly employs 150,000 Americans.

Plastics Industry Association (PLASTICS)

The Plastics Industry Association (PLASTICS) is the only organization that supports the entire plastics supply chain, representing over one million workers in the $432 billion U.S. industry. Since 1937, PLASTICS has been working to make its members and the industry more globally competitive while advancing recycling and sustainability.

The Toy Association

The Toy Association is the North America-based trade association for the toy sector; our membership includes more than 950 businesses – from inventors and designers of toys to toy manufacturers and importers, retailers and safety testing labs – all involved in bringing safe, fun toys and games to children. The toy sector is a global industry of more than US$90 billion annually, and our members account for more than half this amount, and approximately 90% of North American toy sales by dollar volume. Toy safety is the top priority for The Toy Association and its members. Since the 1930s, we have served as leaders in global toy safety efforts; in the 1970s we helped to create the first comprehensive toy safety standard, which was later adopted under the auspices of ASTM International as ASTM F963. The ASTM F963 Toy Safety Standard has been recognized in the United States and internationally as an effective safety standard, and it serves as a model for other countries looking to safeguard the health and safety of their citizens with protective standards for children. The Toy Association is committed to working with legislators and regulators around the world to reduce barriers to trade and to achieve the international alignment and harmonization of risk-based standards that will provide a high level of confidence that toys from any source can be trusted as safe for use by children. Standards alignment assures open markets between nations to maximize product availability and choice.

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