

Public Enemy No. 1

By ACSH Staff — October 9, 2009

Despite the ongoing epidemics of cigarette-related disease, novel influenza and obesity, Environmental Protection Agency Administrator Lisa Jackson is focusing on a very different set of purported health risks: deadly toxins and chemicals in "our bodies." This effort will do nothing to promote public health while raising needless anxiety and spurring expensive, useless regulation and litigation.

In a Sept. 29 speech, Jackson outlined the Obama administration's multi-pronged assault on "toxic chemicals," which she claims are responsible for a spectrum of adverse health effects--even at extremely low levels.

Her list of targeted chemicals includes some well-known activist targets: phthalates--crucial in medical devices; the plastic hardener and food protector bisphenol-A (BPA); lifesaving flame retardants; and even the chemical PFOA--used to manufacture non-stick coatings such as Teflon (the EPA is oblivious to the fact that it's not present in the final product). These chemicals have all been evaluated multiple times worldwide and found safe for consumer use.

Big government is increasingly the perceived solution at EPA, but it's often a solution in search of a problem. America's health is better than ever. Rates of cancer and heart disease are down, and longevity is at a record high (though obesity is a growing problem).

Administrator Jackson's program is amazingly unscientific--even for the EPA. Since the EPA addresses "risks" that are too small to be measured, and thus not amenable to quantification, they have resorted to ignoring benefits and assessing only hazards. This gives them a pass on the usual metric of regulatory need: benefit vs. risk. At the behest of the environmental fringe, EPA "scientists" have shifted their focus away from cancer causation--since they so often find no evidence for that--to speculative "low dose" and "endocrine disruptor" effects. Never mind that the science fails to support their assertions that we are suffering from an epidemic of "diminished sperm quality" and infertility.

Ms. Jackson asserts that the "cumbersome" toxic substances law (TSCA, which dates from 1976) needs to be dumped and re-written. She cited public "anxiety and confusion" about chemicals in our bodies and the need to put the burden on industry to "prove" that its compounds are safe. She seems to be ignorant of (or willfully blind to) the fact that science cannot prove beyond doubt that a substance is safe, nor can we cleanse our bodies of all chemicals--we are in fact made of chemicals. And measuring a trace level of a chemical in our bodies does not mean that the chemical poses a health risk.

An enthusiastic listener to the speech asked if perhaps her new law could include a provision allowing consumers to initiate litigation for non-compliance. "That's a great idea," Jackson

responded. California has done this with Proposition 65, with its "bounty hunter" provision promising a cut of the loot to those who instigate successful anti-chemical lawsuits. Sure, a vigorous anti-chemical bounty-hunter industry has sprung up, one of the few real growth "industries" in that benighted state. But the act, and its zealous enforcement, has yielded zero benefits to public health while placing great burdens on businesses--which pass on its costs to consumers.

Even the American Chemistry Council has signed on to EPA's new crusade--squirming to avoid the heavy penalties for non-compliance. Too bad ACC thereby implies that its member companies' products have been poisoning our kids all these years. That isn't the case; nonetheless they now want to be perceived as very sorry, eager to mend their ways and thankful for the EPA's help.

Smelling the industry's fear, the "environmentalist" lobby will not be satisfied with an inch, when their longer-range goals are in sight. Since the EPA is taking its cue from the extraordinarily onerous anti-chemical REACH accords in the E.U., this will likely be only the tip of the regulatory iceberg. New "assessments" and precautionary restrictions on other types of safe and useful chemicals are surely in the offing--including ones on pesticides and other crucial agricultural chemicals. This will have a chilling effect on the means to increase desperately needed food production for the malnourished around the world, as well as that area's ability to fend off malaria and other insect-borne diseases.

If the anti-chemical activists and their colleagues at the EPA actually cared about such issues, they would downplay their chemophobia in the best interests of humanity. Unfortunately, with their goal in sight, that is most unlikely to happen.

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