

Former CPSC watchdog condemns her former agency for biased, unacceptable junk science

By ACSH Staff — April 20, 2015



In an [article in *The Hill*](#) ^[1], former Consumer Product Safety Commission

member (2005-13, Acting Chair 2006-9) Nancy Nord calls it like it is regarding the shoddy, biased job the CPSC did in evaluating potential human risks from a commonly used phthalate, DINP. Hear her dismay in the title, *Using poor science and stale data to support flawed policy*. Not much more needs to be said in criticizing the abysmal tactics the commissioners employed to avoid the scientific evidence of the chemical's lack of health threat to people of any age.

Ms. Nord likely says it better than anyone else:

...it is increasingly clear that the new powers hastily granted to the CPSC in a period of panic and confusion have led to costly regulatory burdens with questionable real benefits to consumers. In part, this is because the agency I formerly headed is increasingly assuming regulatory authority over matters that it is ill-equipped to manage and which prevent the agency from concentrating on actual product hazards.

A current example is the continuing debate over phthalates, a class of chemicals used in hundreds of consumer products from medical devices to children's toys to increase the flexibility of plastics contained in these products.

Late last year, the agency proposed to ban permanently the use of certain phthalates in toys and childcare articles. No one would argue against protecting our children. But the problem is that CPSC based its proposed ban on incomplete and obsolete data and failed to take account of substitutes, which have been less studied and which could prove to be of greater risk than the phthalates they replace.

The proposed ban is based on the work of the ad-hoc advisory panel [Chronic Hazard Advisory Panel, CHAP] that Congress directed the agency to establish to study the safety of phthalates and phthalate alternatives. For reasons that are unclear, the panel refused to use the last 10 years of chemical exposure data from the Centers for Disease Control. That data represents the most up-to-date information and reflects market changes that have led to decreasing phthalates exposure.

In addition to using stale data, which skewed its exposure findings, the panel used what it described as a novel scientific approach to recommend banning certain phthalates.

ACSH s Dr. Gil Ross added this comment: ACSH submitted a [commentary to the CPSC](#) [2] during the comment period in mid-March, which with all due modesty parallels the criticisms made in The Hill by former Commissioner Nord. No matter: clearly the Commission had a job to do ban DINP, at the behest of the anti-chemical overlords calling the shots in the Administration and at that counterproductive task, they must be deemed a stunning success. Too bad for the American public.

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Links

[1] <http://thehill.com/blogs/congress-blog/technology/238460-using-poor-science-and-stale-data-to-support-flawed-policy>

[2] <http://acsh.org/2015/03/acsh-submission-re-chronic-hazard-advisory-panel-chap-report/>