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The Stockholm Convention on Persistent Organic Pollutants (POPs):
The United States Must Ratify and Fully Implement this Important Treaty

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What is the Stockholm Convention and what does it mean to the United States?

The Stockholm Convention on Persistent Organic Pollutants (POPs) is a global treaty that addresses some of the world's most dangerous substances. POPs are synthetic, toxic chemicals that persist in the environment, bioaccumulate in food chains, and are common contaminants in fish, dairy products, and other foods. The treaty bans or severely restricts twelve POPs, including highly toxic dioxins, PCBs, and pesticides such as DDT. It includes a rigorous scientific process to add other POPs to the list of globally banned chemicals. Now 50 countries have ratified the Convention, enabling its entry into force on May 17.

The United States has a unique opportunity to protect its citizens from POPs by ratifying and fully implementing the Stockholm Convention. Congress must first amend U.S. chemicals and pesticides laws, including the Toxic Substances Control Act (TSCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), to give the Environmental Protection Agency the authority to ban or restrict domestic production, use, and export of POPs. Although President Bush promised in 2001 to support the treaty, his administration has sought to undermine it by proposing legislation that will make it harder, rather than easier, for EPA to control chemicals with POPs characteristics after they have been added to the treaty.

The United States has the Opportunity to Protect the Public and Wildlife from a Small Class of Dangerous Chemicals.

The current regulatory system for toxic chemicals and pesticides is broken. TSCA is so filled with hurdles and loopholes that the government has been unable to monitor or regulate the thousands of chemicals that we are exposed to every day. FIFRA is so slow and cumbersome that it takes years before even the most dangerous pesticides are adequately restricted or removed from the market. Congress now has a chance to develop rational laws to protect Americans from one class of particularly dangerous chemicals, POPs.

Here are two examples of what's at stake. Without meaningful implementing legislation, EPA will find it difficult, if not impossible, to bring these harmful chemicals into compliance with international restrictions:

- **Lindane.** Lindane is a persistent, bioaccumulative, highly toxic organochlorine insecticide banned in 17 countries. Lindane is particularly harmful to children and is a possible human carcinogen. Despite the availability of effective alternatives, lindane is still used in the United

States, Mexico, and Canada for controlling lice and scabies. It is also used as a pest control treatment on seeds. One dose of a lindane treatment for head lice can pollute 6 million gallons of water to levels that exceed drinking standards.

- **Brominated Flame Retardants.** Brominated flame retardants are chemicals that are found in nearly every American home and office in goods such as furniture, televisions, and computers. Bans are underway in Europe and California. In the United States, where they are still manufactured and widely used, contamination levels in humans and wildlife are already very high, and are doubling every three to five years. Researchers are studying links to learning disabilities, thyroid effects, and other developmental and immune system disorders.

Many Americans may now carry enough POPs in their bodies to cause subtle but serious health effects, including reproductive and developmental problems, cancer, and disruption of the immune system. Some indigenous communities in the Arctic region carry particularly high levels of these contaminants. Many POPs migrate on wind and water currents to the Arctic and bioaccumulate in the marine food chain there, contaminating the traditional foods of indigenous peoples. Congress must take action to make it easier, not harder, for the government to meet international standards and address these grave risks.

Congress Must Pass Legislation that Fully Implements the Stockholm Convention

The Bush administration and the chemical and pesticide industries are advocating changes to TSCA and FIFRA that will create new procedural and substantive hurdles for EPA before it can regulate POPs that have been banned under the Stockholm Convention. Congress must reject these proposals. Instead, Congress should adopt a proactive, protective approach under which chemicals that may have POPs characteristics are monitored and regulated before they become widespread threats to human health, the environment, and marine and terrestrial wildlife. To that end, our environment and public health groups recommend that POPs implementing legislation adhere to the following principles:

- **Stockholm Convention decisions supported by the United States should provide the default option for domestic regulation of POPs.** Because the international process to ban additional POPs will be a painstaking, multi-year, science-based one in which the United States will fully participate, decisions by the Stockholm Conference of the Parties to ban or severely restrict additional POPs should provide the basis for U.S. domestic regulation.
- **The U.S. regulatory process should parallel the international decision-making process.** TSCA and FIFRA amendments should facilitate transparency and public participation in the international listing process. They should give EPA a clear mandate to publish and obtain information at key stages of the international process, and to solicit public comments on proposed international actions and their possible implications for domestic policy.
- **EPA should be given broad authority to regulate all persistent, bioaccumulative toxics (PBTs).** Under TSCA, EPA may not regulate a chemical unless it can first prove that the chemical presents or will present an unreasonable risk to human health or the environment. Under this onerous cost-benefit standard, EPA has been powerless to ban any substances—even asbestos, for which the science has long been clear about its dangers. Congress should bring U.S. chemicals policy into the 21st Century by giving EPA the authority to ban or restrict persistent, bioaccumulative toxics (PBTs). EPA should have the power to (1) require mandatory testing of all existing and new chemicals for PBT properties, (2) apply a health-based standard when regulating PBTs, and (3) use TSCA as the primary law to regulate any substance determined to be a PBT.