



Occupational Health and Safety Section  
**American Public Health Association**

March 22, 2013

Senator Bill Monning  
State Capitol Room 4066  
Sacramento, CA 90301

Kathy.Smith@sen.ca.gov

Re: SB 193 - SUPPORT

Dear Senator Monning:

The Occupational Health and Safety Section (OHS) of the American Public Health Association strongly supports California SB 193 to enhance the ability to more effectively disseminate information about chemical hazards in the workplace. The OHS section is comprised of more than 600 members who are leaders in the field of occupational medicine, industrial hygiene, epidemiology and public health policy and who represent health care providers, academia, government, labor and community-based organizations.

Current law requires California's Hazard Information System and Information Service (HESIS) to provide information of practical use to employers, employees, and others on toxic workplace hazards. But it does not give HESIS the ability to find out where toxic chemicals are being used in California, thus undermining HESIS' ability to provide early warnings to worker, employers and health care providers. SB 193 would require chemical manufacturers and others in the chain of distribution to provide, upon written request, the names and addresses of customers who have purchased specified toxic chemicals or commercial products containing those toxins, and ensures that the customer lists will remain confidential.

As public health professionals dedicated to protecting the health of the U.S. workforce, we confront the challenge of how to effectively disseminate critical health information to workers, employers and health care providers, especially when that information has been newly identified. Our members in California have been asked to assist in the dissemination of information about the hazards of diacetyl, a life threatening chemical. Exposure to diacetyl among workers who manufacture products containing butter flavoring has resulted in *bronchiolitis obliterans*, a life threatening lung disease necessitating lung transplants in some workers. The information contained on HESIS' hazard alert was not included in Material Safety Data Sheets. Given the lack of information about where diacetyl was used, identifying avenues for dissemination became a formidable and lengthy task, further delaying information critical to preventing lung damage among exposed workers.

This legislation is needed to ensure that HESIS can effectively carry out its legislative mandate to disseminate new and unappreciated health hazard information in a timely manner to employers and employees to help prevent work-related cancers and other chronic diseases. HESIS originated in response to a similar incident in the late '70's, when men were made sterile manufacturing a chemical that 17 years earlier was known to cause reproductive damage in animals. This incident prompted the Legislature to create HESIS to ensure that such incidents never happen again. HESIS maintains a repository of scientific information on toxic chemicals, identifies and evaluates new and unappreciated chemical hazards relevant to California workplaces, and issues health hazard alerts to provide early warnings to employees, employers and health care providers. It has become increasingly difficult, however, to find out if and where chemicals with identified health hazards are used in California.

SB 193 facilitates HESIS' ability to reach and advise employers on measures needed to protect their workers, including information on safer alternatives, when HESIS has information regarding negative health impacts of certain toxic chemicals. HESIS will be able to target those at risk rather than merely posting its valuable guidance to limit exposure and prevent disease on the web with no guarantee it will reach those in need. As workers are often exposed to toxins whose health effects are not all known, HESIS' ability to act quickly and efficiently is vital to protect workers' health and safety.

This legislation is consistent with APHA policies that advocate for a stronger "Right to Know" and for policies to disclose information about the hazards of chemical substances. APHA policy 8714, "Strengthening Worker/Community Right-to-Know", as far back as 1987 "urges continued support for state and local right-to-know efforts...". Policy 20077, "Calling on the US Congress to Restructure the Toxic Substances Control Act of 1976" highlights the need to "require the generation, disclosure, and distribution by chemical producers of comprehensive chemical production, use, hazard and exposure information in forms that are appropriate for use by the public, workers, industry, small business and government."

California policies can have broad impact on practices throughout the nation. We urge you to play a leadership role on this important public health issue to prevent costly work-related cancer and other disease. We thank you for authoring this important bill.

Sincerely,

A handwritten signature in blue ink that reads "Linda Delp". The signature is written in a cursive style and is set against a light green rectangular background.

Linda Delp, PhD, MPH  
Chair, Occupational Health & Safety Section, American Public Health Association  
Director, UCLA Labor Occupational Safety & Health Program