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Judge Invalidates NYSDEC Household Cleansing Product Information Disclosure Program

Washington D.C. – August 28, 2019 – The New York State Supreme Court invalidated the Household Cleansing Product Information Disclosure Program issued by the New York State Department of Environmental Conservation (NYSDEC) on the grounds that they did not comply with the State Administrative Procedure Act (SAPA).

The decision came after the American Cleaning Institute (ACI) and the Household & Commercial Products Association (HCPA) filed a lawsuit in 2018 against NYSDEC for exceeding its statutory authority under the state’s Environmental Conservation Law and for not following SAPA.

In a joint statement responding to the Court’s decision, Melissa Hockstad, President & CEO of ACI, and Steve Caldeira, President & CEO of HCPA, said:

“HCPA and ACI have been vigorously challenging the Household Cleansing Product Information Disclosure Program on behalf of the household and commercial products industry, and we are pleased with the judge’s decision to invalidate it. As a result of this decision, the Disclosure Program is null and void, and the judge has remitted the Program back to NYSDEC. The NYSDEC can choose to appeal the decision or proceed through the SAPA rule making process.

“The household and commercial products industry has a strong record of providing expansive information on ingredients in our products. We support science-based ingredient transparency policies that provide meaningful information for consumers and workable implementation for manufacturers.

“For more than two years, industry stakeholders came to the table in New York with clear and reasonable concerns and a readiness to collaborate to arrive at a responsible solution. While the goal is to establish a federal law for ingredient communication, we hope this decision will prompt the NYSDEC to work with us on a

comprehensive, collaborative and transparent policy that is in alignment with other states, such as California, where the Cleaning Product Right to Know Act of 2017 was signed into law by then Governor Jerry Brown.”

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The **American Cleaning Institute**® (ACI – www.cleaninginstitute.org) is the Home of the U.S. Cleaning Products Industry® and represents the \$60 billion U.S. cleaning product supply chain. ACI members include the manufacturers and formulators of soaps, detergents, and general cleaning products used in household, commercial, industrial and institutional settings; companies that supply ingredients and finished packaging for these products; and chemical distributors. ACI serves the growth and innovation of the U.S. cleaning products industry by advancing the health and quality of life of people and protecting our planet. ACI achieves this through a continuous commitment to sound science and being a credible voice for the cleaning products industry.

About HCPA (www.thehcpa.org)

The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.