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Congress of the United States

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COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515–6115

Majority (202) 225–2927
Minority (202) 225–3641

December 22, 2010

The Honorable Lisa Jackson
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

I write to request that EPA accelerate its efforts to re-assess and review the safety and effectiveness of triclosan, a common ingredient in soaps and hand sanitizers (which are regulated by the Food and Drug Administration (FDA)), as well as by EPA which has approved its use as a pesticide for more than 100 types of consumer products including clothing, kitchenware and toys. EPA has already accumulated substantial data on the ability of triclosan to act as an endocrine-disruptor capable of interfering with hormones critical for normal development and reproduction. Moreover, in 2005 the FDA stated that there is no evidence that triclosan used in antibacterial soaps and washes provides any benefit over regular soap[1] and has concerns about the role that widespread use of antibacterial products play in the development of antibiotic-resistant strains of bacteria. However, as indicated in EPA's March 2010 letter to me,[2] the Agency has no plans to review its regulations governing the use of triclosan until 2013. Since this letter was sent, the Centers for Disease Control and Prevention (CDC) released its most updated data, which shows that there was a 42% increase in the amount of triclosan found in Americans in 2005-2006 versus data collected in 2003-2004. Furthermore, other data suggests that in addition to consumer products, Americans may also be exposed to this chemical through the consumption of contaminated food and water – particularly since over 95% of the uses of this chemical are in consumer products that are disposed of in residential drains.[3] In light of this new information, I am requesting that you expedite your assessment of triclosan as a pesticide, and as necessary revise your regulations guiding the use of this chemical in consumer products, particularly those that are intended to come into contact with food or are marketed to children.

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[1] http://www.fda.gov/forconsumers/consumerupdates/ucm205999.htm
[2] http://markey.house.gov/docs/epatriclosanresponse.pdf
[3] Reiss, R., N. Mackay, C. Habig, and J. Griffin. 2002. *An ecological risk assessment for triclosan in lotic systems following discharge from wastewater treatment plants in the United States*, Environmental Toxicology and Chemistry 21(11): 2483-2492.

As indicated in EPA's March 2010 letter to me, the scientific literature has extensively linked triclosan to endocrine disrupting effects, with the ability to interfere with male and female reproductive hormones as well as the ability to alter thyroid function. Although triclosan was originally introduced in the healthcare setting as a surgical scrub, over the last decade there has been a rapid increase in the use of triclosan in a number of consumer products including soaps, kitchenware, clothes and toys. Despite their widespread use, in April 2010, [4] the FDA reiterated its 2005 position[5] that for certain applications, such as in soaps and handwashes, there is no evidence that the use of triclosan is superior to plain (non-triclosan-containing) soap and water. FDA also stated that it believed that existing data on the ability of triclosan to interfere with the body's normal hormonal functioning "raise valid concerns about the [health] effects of repetitive daily human exposure to these antiseptic ingredients."

In the past year, there have been additional scientific studies that have updated our understanding of the health impacts, exposure and environmental distribution of triclosan. For example, in July the CDC released updated bio-monitoring information that compared human concentrations of triclosan in 2005-2006 to what was found previously in 2003-2004[6], when triclosan was found in 75% of all Americans.[7] Based on the most comprehensive data available on chemical exposure, the CDC found that the concentration of triclosan in the urine of Americans has increased by an average of 42 % in all age groups, both genders and all reported ethnicities[8]. When looking only at children ages 6-11, the increase is over 55 %. While data on more recent exposure levels has not yet been released, one could reasonably assume that the concentration of triclosan in the human body and the prevalence of triclosan in the population has also continued to increase as the number of consumer products that contain this chemical also increased, and as concerns about the transmission of H1N1 or other flu strains mount each flu season.

Furthermore, data indicates that additional exposure to triclosan may be occurring through consumption of contaminated food and water. A 2006 Johns Hopkins Bloomberg School of Public Health study found that about 75 percent of triclosan makes it through water treatment methods, ending up in surface water and municipal sludge, which is commonly applied to agricultural crops as a fertilizer.[9] Triclosan has also been found in 60 percent of U.S. streams according to a U.S. Geological Survey conducted between 1999 and 2000.[10] Additionally, a

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[4] http://www.fda.gov/forconsumers/consumerupdates/ucm205999.htm
[5] http://www.webmd.com/news/20051020/fda-panel-no-advantage-to-antibacterial-soap
[6] http://www.cdc.gov/exposurereport
[7] Calafat AM, Ye X, Wong LY, Reidy JA, Needham LL. 2008. *Urinary concentrations of triclosan in the U.S. population: 2003-2004*. Environ Health Perspect,116(3):303-7.
[8] http://www.cdc.gov/exposurereport/pdf/Update_Tables.pdf
[9] Heidler J, Sapkota A, Halden RU, 2006. *Partitioning, Persistence, and Accumulation in Digested Sludge of the Topical Antiseptic Triclocarban during Wastewater Treatment.* Environmental Science and Technology, 40(11):3634-9.
[10] Rolf U. Halden and Daniel H. Paull. 2005. *Co-Occurrence of Triclocarban and Triclosan in U.S. Water Resources*. Environmental Science and Technology, 39(6):1420–1426.

study published earlier this year[11] demonstrates the ability of plant crops to uptake triclosan that could be present in irrigation water or fertilizer, concentrating this toxic compound in their roots, leaves and beans, which are routinely harvested for food.

In light of the potential health and environmental damage caused by triclosan and doubts about its efficacy, several countries, including the European Union have taken action to ban or restrict the use of triclosan in many consumer products, including those that would come into contact with food – noting that the manufacturer of triclosan found its use in food contact products no longer "appropriate". In the absence of imminent regulatory action in the U.S., in April 2010 I wrote letters to thirteen companies known to make and market U.S. products that contain triclosan asking them to voluntarily remove this chemical from products that will come into contact with food, consumer soaps (where FDA has found them to be relatively ineffective) and products marketed specifically for children. All of the companies[12] with triclosan-containing products that fall under EPA's jurisdiction referenced EPA's 2008 approval of triclosan as a pesticide as evidence that EPA was supportive of the safety and effectiveness of triclosan, and indicated that they had no intention of changing their corporate practices or formulations without sufficient guidance by the Agency – emphasizing the need for EPA to revisit and finalize regulations governing the use of triclosan as soon as possible, particularly for products that are marketed for children.

In light of the mounting evidence regarding the potential risks of triclosan as well as the increased levels observed to be present in the human body, I request that you provide a full and complete response that details the research activities and steps that EPA has taken in the last 12 months that contributes to the Agency's review of its regulations guiding the use of triclosan. I also request that you accelerate efforts to complete your review and re-registration eligibility decision for triclosan prior to 2013. Please provide this response no later than January 12, 2010. Should you have any questions about this request, please have your staff contact Dr. Avenel Joseph of my staff or Dr. Michal Freedhoff of the Energy and Environment Subcommittee staff (202) 225-2836.

Sincerely,

Edward J. Markey
Chairman
Subcommittee on Energy and Environment

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[11] Wu C, Spongberg AL, Witter JD, Fang M, Czajkowski KP. 2010. *Uptake of Pharmaceutical and Personal Care Products by Soybean Plants from Soils Applied with Biosolids and Irrigated with Contaminated Water.* Environ. Sci. Technol., 44 (16), 6157–6161

[12] One company declined to respond to my request.