

SAFER CHOICE PROGRAM AUTHORIZATION ACT

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SECTION-BY-SECTION

Section 1. Short Title

Section 2. Findings

Section 3. Definitions

- Defines key terms, including:
 - Administrator and Agency
 - Safer Choice Program
 - Safer Choice Standard and Design for the Environment (DfE) Standard
 - Safer Choice and DfE labels
 - Safer Chemical Ingredients List
 - Qualified third-party reviewers

Section 4. Establishment of the Safer Choice Program

- Directs EPA to establish and carry out a voluntary Safer Choice Program
- Provides that the Program identifies and promotes products meeting Safer Choice or DfE standards
- Establishes the purpose of advancing pollution prevention through safer chemical design while maintaining product performance
- Requires EPA to leverage and align with existing Safer Choice and DfE activities
- Authorizes EPA to update standards based on science, regulatory developments, and innovation, with public notice and comment

Section 5. Program Administration

- Directs EPA to administer the Program, including:
 - Establishing procedures for product submission and review
 - Making determinations on whether products meet Program standards
 - Issuing guidance on label use and marketing
 - Providing technical assistance to manufacturers
 - Consulting with stakeholders to improve Program criteria
 - Conducting public outreach and education
 - Convening at least annual stakeholder meetings
 - Recognizing leadership through awards programs
 - Periodically updating procedures to ensure transparency and scientific integrity
- Authorizes the use of qualified third-party reviewers, subject to statutory minimum requirements for independence, prohibition on financial conflicts of interest, restrictions on compensation contingent on review outcomes, and disclosure and mitigation obligations

- Requires interagency coordination to promote consistency, reduce duplication, and support safe product development

Section 6. Safer Choice Criteria

- Directs EPA to apply science-based criteria in evaluating products, including:
 - Human health impacts (e.g., carcinogenicity, toxicity)
 - Environmental impacts (e.g., persistence, bioaccumulation, aquatic toxicity)
 - Product performance
 - Packaging sustainability and end-of-life considerations
 - Comprehensive ingredient disclosure requirements, including all intentionally added ingredients and relevant residuals above a threshold established by EPA
- Defines eligible product categories under the Safer Choice Standard, including existing and additional categories identified by EPA
- Defines eligible product categories under the DfE Standard, including antimicrobial pesticides and other appropriate categories
- Requires EPA to maintain and update the Safer Chemical Ingredients List, including processes for adding or removing chemical ingredients

Section 7. Labeling; Unauthorized Use

- Establishes voluntary participation in the Program
- Authorizes EPA to allow use of the Safer Choice and DfE labels for qualifying products
- Designates labels as official EPA marks
- Prohibits unauthorized or misleading use of labels
- Authorizes EPA enforcement actions, including:
 - Notice and corrective action
 - Suspension or termination of label authorization
 - Referral to the Department of Justice for civil enforcement

Section 8. Reporting and Transparency

- Requires EPA to submit and publish an annual report to Congress detailing:
 - Program participation and product approvals
 - Updates to standards and procedures
 - Outreach and stakeholder engagement
 - Recommendations for improvement
- Requires EPA to maintain a publicly accessible database of approved products

Section 9. Authorization of Appropriations

- Authorizes \$6,000,000 annually for FY2028–FY2034

Section 10. Effective Date; Severability

- Establishes that the Act takes effect upon enactment
- Includes a standard severability clause