National Collaborative Work Group

on

Green Cleaning and Chemical Policy Reform in Schools

www.CleaningforHealthySchools.org

September 24, 2012

Jim Kohlmoos, CEO
Steve Berlin, Managing Editor, *The State Education Standard*
National Association of State Boards of Education
2121 Crystal Drive, Suite #350
Arlington, VA 22202

Dear Jim and Steve:

I look forward to meeting with you this fall and catching up on a variety of issues, including our national agenda to improve the learning environments in K-12 schools.

First, we are writing to express our appreciation to National Association of State Boards of Education (NASBE) on its in-depth journal issue, "Green Cleaning Schools," published in the February 2012 issue of *The State Education Standard.* It is likely to encourage more local schools to implement robust green cleaning programs.

Second, however, we are writing to express strong cautions to NASBE, policy makers, and education leaders due to the important errors and omissions in several of the articles. We fear that these errors and omissions may mislead state and local policy-makers into adopting weak and ineffective policies that could have the unintended consequence of seeding green cleaning programs that do not achieve full health and environmental benefits. We have provided details on our concerns in the attached memo. If corrected, the publication would be a more valuable resource for states, districts and schools to use when designing their green cleaning policies, programs and practices.

Since 2006, the National Work Group on Green Cleaning has led the drive for science-based standards for certifying cleaning products, routed out greenwashing in journal articles, and presented peer-reviewed public health presentations on the health and environmental benefits of using green cleaning products. Our members are championing proven, effective policies in states from coast to coast, by advancing a state model bill text endorsed by the National Caucus of Environmental Legislators. The model bill informed new laws enacted in Connecticut (2009), Maryland (2012) and Vermont (2012), among others, backed by state coalitions of environment, education, and health groups. See www.CleaningforHealthySchools.org >FAQS. These states and New York (2005) require schools (and often state agencies) to use independent, third-party certified green cleaning products. This certification requirement means that products to clean schools are in fact green. For example, they do not contain respiratory sensitizers that can create new cases of asthma, they have strict limits on other hazardous chemicals including those that can cause cancer, reproductive toxicity or skin sensitization, and they work. Additionally, in 2010, New York agencies reported that adhering to these standards did not results in any new cost complaints. Products with fewer green attributes – and not third-party certified – are unlikely to provide these benefits.

We look forward to working with NASBE to improve environmental conditions and practices of schools, and to protect the health of children and staff. To accomplish this, we would like to encourage NASBE how future policies and journals may be appropriately peer-reviewed, so that as the pressure mounts on schools to be "green", NASBE can provide unbiased, accurate guidance.

Sincerely,

Executive Director, Healthy Schools Network

cc Work Group Members: American Federation of Teachers, American Federation of State, County and Municipal Employees – International, Connecticut Foundation for Environmentally Safe Schools, Healthy Schools Network, INFORM, Green Purchasing Institute, Green Schools Initiative, Massachusetts Coalition for Occupational Safety and Health, National Association of School Nurses, National Education Association Health Information Network; New York State United Teachers; state partners

Attached: The (Seven) Sins of Greenwashing poster; Cleaning for Healthy Schools Poster

NASBE, *The State Education Standard*, *Green Cleaning in Schools*, February 2012

Comments from

National Collaborative Work Group on Green Cleaning and Chemical Policy Reform in Schools

As background for our concerns, below are key concepts from the National Collaborative Work Group's peer-reviewed panel presentation at the 2010 American Public Health Association annual conference:

- The chemical industries in United States and abroad under unprecedented pressure to reduce the toxicity of chemicals in commerce. Multiple states have enacted laws or passed bills to ban an array of chemicals in commerce and to encourage broad-based chemical policy regulations in the states.
- Responding to consumer demands, more and more chemical manufacturers are now claiming their products are green, but the information to back up those claims is often not third-party verified or available to consumers.
- The Federal Trade Commission has not finalized updated guidance on environmental marketing claims due to industry opposition to the draft requirements to document green claims.
- Strategies some manufacturers and trade associations use to sustain market share for conventional hazardous products include defining 'green' very narrowly with only a few softly worded, unverifiable attributes; developing their own eco-labels; and avoiding external (third-party) certification of green claims.
- Finally, schools are easy prey for manufacturers, trade associations, and vendors: not only are they collectively a very large, unregulated marketplace, but they have little background on the complexities of chemicals and little time to research and develop their own product purchasing standards.

A number of the errors and omissions within the *Green Cleaning in Schools* publication can best be described as "**greenwashing**", or in some cases "**health-washing**." "Greenwashing" is the often gentle and highly nuanced art of false or misleading claims about the environmental attributes of products or services. Attached is the latest *Sins of Greenwashing* poster from the trusted, internationally recognized organization Terra Choice, which formed in 1998 to manage Canadian government's green certification program called EcoLogo. Terra Choice's oft-cited biannual report on greenwashing can be found here: http://sinsofgreenwashing.org/findings/greenwashing-report-2010/

Errors, Omissions, and Examples of Greenwashing in *Green Cleaning in Schools*:

Page 6: EPA authors Margot Brown, Peter Grevatt, and Cynthia Merse write, "Green cleaning products should have one or more of the following attributes…" is an incomplete and misleading statement. It could easily lead schools and state policy-makers to allow products with a single environmental attribute (such as low VOC content or a neutral pH) rather than those that are independently certified as having multiple environmental attributes across all aspects of the product in its lifecycle and, therefore, comparatively greener and healthier.

> Comment. It is critical to provide clear policy guidance on this issue to public agency purchasing officials and essential to ensure that cleaning products actually have a reduced impact on both health and the environment. By addressing a full range of "green" attributes in cleaning products, purchasers and end-users in schools can ensure that the health and environment benefits are optimized.

Page 7: The complex discussion of various external certifications is not accurate and put an unwarranted emphasis on EPA's Design for the Environment (DfE) Program. DfE's review processes and flexible product ingredient criteria are not fixed standards and are in many ways weaker than those of independent, internationally recognized certifiers such as Green Seal and Eco Logo. Further, DfE has not set and applied its criteria in a fully open, participatory, and transparent manner. DfE announced it would initiate verification of product ingredients in fall 2011, thus most DfE-labeled (not certified) cleaning products have not had full reviews based on all of DfE's criteria.

Comment. In order for schools and other public agencies to develop scientifically sound environmental specifications, they need a policy that calls for the use of well-vetted, well understood standards, not vague, flexible criteria. It would have been more useful if the article had carefully defined the differences between environment labels that "recognize" products for a particular attribute, such as being a member of a manufacturer's association (ISSA), versus what independent third party certifiers do, and devoted relatively more space to the benefits of relying on third party certifiers. This oversight misleads readers on a critical policy issue by giving un-earned support to product recognition labeling, at the expense of more thorough and more reliable "green" product verification protocols.

Page 8: Chart of chemicals. The greenwashing "sins" of irrelevance and vagueness (see poster) are present in the discussion of chemical ingredients on this chart. For example, chlorine bleach (sodium hypochlorite), hydrogen chloride, chlorinated quaternary ammonium compounds (quats), and ortho-phenyl phenol are four types of antimicrobial ingredients commonly used in schools that are known respiratory sensitizers that can lead to the creation of new cases of asthma according to the Association of Occupational and Environmental Clinics (AOEC), an authority on asthma.

Comment. Safer replacements for these chemicals include products that can disinfect and/or sanitize surfaces using hydrogen peroxide, citric acid, or lactic acid. While the safer replacements may be irritating to the respiratory system, they are not known to cause new cases of asthma among custodial workers. Since asthma is a leading cause of school absenteeism and surface sanitizers/disinfectants are widely used in schools – posing substantial risks to workers and other building occupants – strict protocols should be developed to ensure proper use of these chemicals.

Further, standard protocols need to address potential overuse (e.g., spraying aerosolized deodorizers that contain pesticidal ingredients into restrooms as an air freshener), improper use (e.g., spraying and wiping classrooms surfaces without the required "dwell time" to kill target microorganisms), and use by students and staff on desks and other surfaces. It was disappointing to see so little attention given to this important aspect of the green cleaning topic.

Additional comments on errors and omissions

Page 4: In the EPA article, the appropriate federal source on K-12 statistics needs to be cited. "Over 55 million children are in some 132,000 public and private K-12 schools nationwide." The appropriate source is not a 2006 private publication, but the National Center for Education Statistics (*Digest*, 2010).

Page 7: We believe there is an error: "Purchasing janitorial equipment that will have a *negative* impact on human health and the environment should also be considered when preventing toxic exposures among students and staff." The journal needs to say '*positive'* instead.

Page 13: Contrary to ISSA's government relations executive Bill Balek's article, which suggests that state laws were slowing downed, in spring 2012 Vermont became the 11th state to enact a green cleaning law and also in 2012 Maryland enacted major amendments to significantly improve its 2009 green cleaning law won by trade associations. Importantly, ISSA's Balek omitted mentioning significant details on the state laws in place that have strong policy requirements for third-party certifications of products.

Specific examples of critical omissions in the state policy discussions

1) In outlining the **Connecticut** law, Balek provided a detailed account on the state decision making process, but did not mention the primary policy drivers, including no mention of requirement that cleaning products be independently certified by at least one of two third-party certified organizations: Green Seal or EcoLogo. Also unmentioned, the Connecticut law requires that a school district's local green cleaning policy list the types of environmentally preferable products being used and the name of the supervisor in charge of green cleaning. This is important information for policy-makers.

2) In discussing **New York**'s 2005 law and its regulations, Balek omitted key information regarding the concept of "self certification." In 2006, under pressure from the industry, as a substitute for a Green Seal or Eco Logo third-party certification, the State permitted manufacturers to submit independent laboratory tests documenting, that at a minimum, products met either of those third-party standards. This is not really "self-certification". Further, the State withdrew the "self certification" provision in its updated guidance in 2010 as no manufacturers used it.

3) **Missouri's** regulations also permit a manufacturer to submit independent laboratory tests in lieu of independent third-party certifications. Balek cites this as another example of "self-certification" in policy. The concept of "self-certification" is also in **Maryland**'s 2009 industry-supported law; that 2009 law also permitted virtually any entity to recognize green products for use by schools. Those features were in overturned in Maryland's 2012 amending law.

4) Balek also writes that "**22 states** have now adopted a green cleaning procurement policy of some kind." It would be helpful to have documentation of that and details about the requirements under those green cleaning procurement policies.

Comment. This statement is likely to mislead readers into thinking that state governments have already successfully switched to green cleaners, which is hardly the case. Approximately half of US states have a green procurement policy, often targeting energy efficiency and recycling, but many do not specifically address hazardous chemicals. While this article discusses the important role states can play in demonstrating environmental leadership and fostering markets for environmentally preferable products, it omits another equally important role state agencies play: using their cooperative purchasing programs to promote bulk purchasing and lower costs. Several states are already doing this as a way of helping school facilities and other public entities to access these products without having to go through the time-consuming and costly process of developing and issuing bid solicitations on their own.

Page 19: Dan Wagner of ISSA writes on "Existing and Emerging Third-Party Certification Programs," and discusses the confusion in the marketplace surrounding the large number of products that are claiming to be "green." Unfortunately, he then loosely describes so many different certification and recognition and labeling programs (which are not interchangeable), that he aids and abets the confusion. Wagner wisely sets the stage for identifying a credible eco-label: "It is important to note that these programs share a number of common characteristics, including: certification or recognition is based on consensus-based criteria; the standard contains multiple attributes; and certification or recognition is granted through a transparent and robust assessment process."

Comment. Wagner failed to point out that it is also important for the eco-label to be awarded by an impartial third party, for the information submitted by manufacturers to be verified by the certifying entity, and for consensus to be developed broadly across public health, environment, and industry, not just within one constituency such as an industry association. As such, there is a significant difference between organizations (Green Seal and EcoLogo) that *certify* a product as green and entities (DfE and ISSA) that simply *recognize* a product as green without verifying all of the information that was presented to it by manufacturers. Moreover, ironically, several of the eco-labeling programs described later in the article (as emerging programs to consider) do not meet these threshold criteria Wagner cited. For example:

- The USDA Biobased and GREENGUARD eco-labels and the CARB VOC standard are based only on single attributes, not multiple environmental attributes. They should not be relied upon for residential or commercial cleaning products since multiple attribute certifications for these product categories are firmly established and well-accepted.
    - It should have been stated that these single-attribute labels might be considered only as additional benefits of products after they have first been certified by Green Seal or EcoLogo.

- Wagner, representing ISSA, writes about ISSA's Transpare Program which fails to meet several of the criteria he had just identified as key features of credible eco-labels.
    - Transpare is not based on consensus-based criteria, and there is no transparent protocol to ensure that the information provided by manufacturers will undergo a "robust assessment process" or be verified as accurate. There is no requirement that products submitted to the Transpare website be independently certified as green.

- When discussing janitorial paper products, in addition to pointing users to products that are certified by Green Seal and EcoLogo (which offer transparent and robust certification program), readers are also directed to EPA's Comprehensive Procurement Guidelines.
    - This could confuse the reader: while EPA offers a resource that can be valuable for product categories that lack third-party certifications (such as trash bags), it is not

accurate to suggest it is a suitable, environmentally preferable alternative for janitorial paper products, where there are much stronger multi-attribute standards verified by credible third-party certification organizations.

Because the author does not make these important distinctions, this article adds to the greenwashing and confusion that tends to benefit the industry, but does not benefit education policy-makers or schools.

Page 23: The section on "Cleaning Organizations Standard and Certification Programs" is imbalanced in favor of the ISSA's own program, which received approximately two columns worth of space, was presented first, and included a strong promotion for this specific program to be implemented, stating: "Schools districts that want to validate their green cleaning program or want to select a third-party provider capable of delivering a comprehensive green cleaning program should rely on CIMS-GB certification as a validation or prequalification/selection tool."

> Comment. In comparison, the impartial green cleaning certification program developed by Green Seal received only a lukewarm one-paragraph description at the end, and may in fact cost districts less. We are surprised that this skewed, self-promotion survived NASBE's editing desk.

Page 24: Rochelle Davis' step-by-step green cleaning program implementation roadmap contains many excellent suggestions. But surprisingly, she omits two very important elements of many green cleaning programs: (1) advanced equipment such as microfiber mops and clothes, and (2) safer disinfecting and sanitizing products and practices. According to a University of Massachusetts at Lowell study, microfiber mops use less water and chemicals; they can also reduce the potential for worker injury by eliminating the need to wring the heavy cotton mops. While antimicrobial cleaning products used largely in restrooms and kitchens are not typically certified as "green," some of the active (i.e., pesticidal) ingredients they contain are more dangerous than others. As mentioned earlier, some disinfecting chemicals such as chlorine bleach, hydrogen chloride, "quats" and ortho-phenyl phenol are known respiratory sensitizers, while others such as hydrogen peroxide and citric acid are not.

Page 29: "The Role of Distributors" box. To avoid greenwashing locally, we advise school business officials or other purchasers, facility managers, custodial workers and other concerned staff to require the right product verifications first: schools should ask their most reliable vendors to provide a free demonstration of their third-party certified green cleaning products. Once that is communicated, good vendors have solid instructions for assisting the school on how to phase in green cleaning products and advanced performance equipment.

Pages 31/36: A correction. For the Case Studies, credit line on page 36: Healthy Schools Network did not compile the case studies. The Network, founded in 1995, is the nation's leading voice for environmental health in Collaborative Work Group on Green Cleaning. The Network does not accept support from the chemical industry or vendors that sell to schools. See www.HealthySchools.org

Credits - *Contributors to this memo include:*

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