



Assemblymember Damon Connolly
Chair, Assembly Committee on Environmental Safety & Toxic Materials
Legislative Office Building
1020 N Street, Room 171
Sacramento, CA 95814

RE: AB 916 (Lee) Safer Soap Act – OPPOSE

Dear Chair Connolly,

We, the undersigned organizations, are writing to express our opposition to AB 916 (Lee) which, if passed, could have wide ranging negative impacts to consumers, immunocompromised individuals, food handlers, and others who depend on effective bacteria-killing products to stop the spread of disease.

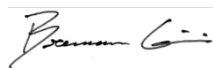
Impact to Consumers – Washing one's hands with soap and water is an easy and effective method for removing germs from the skin, but there are several situations when consumers benefit from the use of antimicrobial products to remain healthy. Californians with weakened immune systems (e.g., elderly, those with chronic diseases) depend on antimicrobials to kill bacteria that may remain on the skin after handwashing. With more healthcare practices moving to the home environment (e.g., telehealth), consumer antiseptics ensure that home healthcare practitioners have access to the same hygiene products available to healthcare settings. Antimicrobials are also beneficial to prevent cross contamination in the home during food preparation and cooking. Consumer antimicrobial products also have many applications in California institutions such as schools, day care centers, and nursing homes. The Legislature should strongly consider the unintended consequences of this legislation and review which populations would be even more vulnerable without antimicrobial soap options.

Food Handler Protections – By banning antimicrobial soaps, the food supply chain would be more vulnerable to food borne disease spread. Food supply chain partners work diligently every day to ensure the protection of the public, and the California Retail Food Code establishes some of the most protective requirements for consumers in the country. However, limiting the tools available to food handlers by choosing to ban the use of antimicrobial soaps would likely jeopardize safety of employees and consumers in certain circumstances. California Food Safety regulations permit the use of antiseptic soaps which are an added layer of protection against the spread of germs. The primary target of food handler skin antiseptics is bacteria, which, according to the Center for Disease

Control, account for 44% of all reported foodborne outbreaks. Taking away an optional tool with proven effectiveness at fighting bacteria is misguided.

Department of Toxic Substances Control (DTSC) –The Department recently initiated its first step in gathering information about the use of these ingredients and will consider a more holistic, and scientifically-sound policy for addressing the chemicals that AB 916 would ban. Industry is directly engaging with the Department to help with their process. The Legislature would be remiss to sidestep the scientific process the State of California uses to ensure protection of the public when reviewing candidate chemicals. Without sufficient data, nor a review of the harms that a ban would unleash, the Legislature doesn't have the complete picture of the policy impacts AB 916 would have.

Federal Preemption - 21 U.S.C. § 379r – The Federal Food, Drug, and Cosmetic Act dictates that no state may establish any requirement that “relates to the regulation of a drug that is not subject to the requirements of section... and that is otherwise not identical with a requirement under this chapter.” Banning these ingredients would run counter to federal law that considers these as lawfully marketed drugs and preempted from state regulations.



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