



TPCH Receives \$50,000 SEP in Settlement Agreement

The Department of Toxic Substances Control (DTSC) at California's Environmental Protection Agency sent a big thanks – and \$50,000 in funding -- to the Toxics in Packaging Clearinghouse (TPCH) for providing information that led to the nation's first settlement with monetary penalties attached for packaging that violated state toxics in packaging laws.

TPCH alerted DTSC about the potential violation in 2006 after several shopping bags from retailer Forever 21 Inc. screened high for the presence of heavy metals via an X-ray fluorescence (XRF) analyzer. DTSC followed up, confirmed the finding and spent nearly two years pursuing the company to get the bags out of circulation.

The \$50,000 Supplemental Environmental Project (SEP) given to TPCH resulted from a [Consent Order](#) between DTSC and Forever 21. The SEP allows the Clearinghouse to spend the funds for any activity within its mission. "We will certainly spend some of these funds to continue our very successful program to screen packaging for heavy metals, which has yielded significant results in terms of pollution prevention, toxicity reduction, and outreach to industry," according to Peter Pettit, Chairman of the TPCH.

As a result of XRF screening in early 2008, TPCH is now working with over 40 companies whose packaging may be in violation of state laws to educate them about toxics in packaging. "Many of these companies are taking action: they're changing packaging materials or suppliers; stopping overseas shipments of non-compliant packages; and putting new quality assurance procedures into place to prevent future violations of state toxics in packaging laws. Companies that don't respond or whose responses are inadequate could face state enforcement actions similar to Forever 21, said Pettit.

The [full report](#) on a 2006 TPCH screening project is available on the TPCH website. A second report summarizing the results of the 2008 screening project will be available later this year. For more information on the TPCH, contact [Patty Dillon](#), TPCH Program Manager.