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119TH CONGRESS
2D SESSION

H. R. 10591

To authorize the Safer Choice Program within the Environmental Protection Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2026

Mr. PETERS (for himself and Mrs. MILLER-MEEKS) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To authorize the Safer Choice Program within the Environmental Protection Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Safer Choice Program Authorization Act of 2026''.

SEC. 2. FINDINGS.

Congress finds that—

(1) to promote the development and use of safer chemical products, the Environmental Protection Agency has carried out—

(A) the Design for the Environment program for more than 30 years preceding the date of enactment of this Act; and

(B) the Safer Choice program for more than 10 years preceding the date of enactment of this Act;

(2) the programs described in paragraph (1) (referred to in this section as the ''programs'') are voluntary, market-based initiatives that provide consumers, businesses, and institutional purchasers with clear and reliable information to inform product selection;

(3) the programs have supported United States innovation by providing a predictable framework for manufacturers, including small and medium-sized businesses, to develop products that meet high standards for safety and performance;

(4) the programs have enabled companies to differentiate their products in the marketplace and respond to growing consumer demand for safer products;

(5) the credibility of the Safer Choice and Design for the Environment labels under the programs depends on rigorous, science-based evaluation of

chemical ingredients, including comprehensive and transparent review processes;

(6) qualified third-party profilers play an important role in supporting efficient, consistent, and science-based product evaluations under the programs, particularly in cases involving complex supply chains and confidential business information;

(7) the Environmental Protection Agency has established expertise, infrastructure, and relationships necessary to effectively administer the programs, including the protection of sensitive proprietary information; and

(8) authorizing and strengthening the Safer Choice program under this Act will—

(A) provide greater certainty, transparency, and continuity for participants in the programs, while preserving the voluntary, nonregulatory nature of the programs; and

(B) support United States competitiveness, consumer choice, and continued innovation in safer chemistry.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term ''Agency'' means the Environmental Protection Agency.

(3) DESIGN FOR THE ENVIRONMENT LABEL.—The term ''Design for the Environment label'' means the label authorized under section 7(b)(2).

(4) DESIGN FOR THE ENVIRONMENT STANDARD.—The term ''Design for the Environment Standard'' means the criteria, specifications, and methodologies used by the Agency for the Design for the Environment program, as in effect on the date of enactment of this Act, and as updated in accordance with section 4(d).

(5) PROGRAM.—The term ''Program'' means the Safer Choice Program established under section 4(a).

(6) QUALIFIED THIRD-PARTY PROFILER.—The term ''qualified third-party profiler'' means an entity that meets criteria established by the Administrator under section 5(b) to conduct technical evaluations in support of determinations under the Program.

(7) SAFER CHEMICAL INGREDIENTS LIST.—The term ''Safer Chemical Ingredients List'' means the

list maintained by the Agency to identify chemical ingredients that may be used in products that meet the Safer Choice Standard.

(8) SAFER CHOICE LABEL.—The term ''Safer Choice label'' means the label authorized under section 7(b)(1).

(9) SAFER CHOICE STANDARD.—The term ''Safer Choice Standard'' means the criteria, specifications, and methodologies used by the Agency under the Safer Choice Program, as in effect on the date of enactment of this Act, and as updated in accordance with section 4(d).

SEC. 4. ESTABLISHMENT OF THE SAFER CHOICE PROGRAM.

(a) ESTABLISHMENT.—The Administrator shall carry out a voluntary Safer Choice Program within the Agency to identify and promote products that, as determined by the Administrator, meet the Safer Choice Standard or the Design for the Environment Standard, as applicable.

(b) PURPOSE.—The purpose of the Program is to advance pollution prevention by encouraging the design, manufacture, selection, and use of products formulated with chemical ingredients that are safer for human health and the environment, while maintaining product performance.

(c) RELATIONSHIP TO EXISTING PROGRAMS.—The Administrator shall carry out the Program in a manner consistent with, and to the extent practicable leveraging, the Agency's existing Safer Choice and Design for the Environment activities in effect on the date of enactment of this Act.

(d) UPDATES TO STANDARDS.—The Administrator may revise the Safer Choice Standard and the Design for the Environment Standard to account for advances in scientific understanding, regulatory developments, and innovation in safer chemistry, after providing public notice and an opportunity for comment.

SEC. 5. PROGRAM ADMINISTRATION.

(a) IN GENERAL.—In carrying out the Program, the Administrator shall—

(1) establish, publish, and maintain procedures for submission and review of products for certification under the Program;

(2) make determinations regarding whether a product meets the Safer Choice Standard or the Design for the Environment Standard, as applicable;

(3) establish requirements and guidance for the use, display, and marketing of the Safer Choice label and the Design for the Environment label;

(4) provide technical assistance, as appropriate, to manufacturers and other applicants seeking participation in the Program;

(5) consult with interested stakeholders, including manufacturers, retailers, environmental and public health organizations, and scientific experts, to support continuous improvement of criteria and methodologies used under the Program;

(6) conduct public outreach and education regarding the availability and benefits of products being certified under the Program;

(7) convene not less frequently than annually a public stakeholder meeting regarding the scope, implementation, and planned improvements of the Program;

(8) recognize, as appropriate, outstanding leadership and achievement by Program partners and stakeholders, including through a Partner of the Year Awards program; and

(9) periodically review and update Program procedures and guidance to ensure transparency, efficiency, and scientific integrity.

(b) USE OF QUALIFIED THIRD-PARTY PROFILERS.—

(1) IN GENERAL.—The Administrator shall establish criteria and processes for the qualification

and oversight of qualified third-party profilers to support technical evaluations of products and ingredients for purposes of the Program.

(2) DETERMINATIONS.—

(A) IN GENERAL.—A determination under the Program shall be made by the Administrator.

(B) USE OF QUALIFIED THIRD-PARTY PROFILERS.—The Administrator may rely on information, analyses, or recommendations based on analyses from a qualified third-party profiler in making a determination described in subparagraph (A).

(3) MINIMUM REQUIREMENTS.—A qualified third-party profiler shall—

(A) be independent of, and not have any financial conflict of interest with, the manufacturer or formulator of any product under review by the qualified third-party profiler;

(B) not receive compensation contingent on the outcome of a review; and

(C) maintain and implement policies to identify, disclose, and mitigate potential conflicts of interest, subject to oversight by the Administrator.

(c) INTERAGENCY COORDINATION.—In carrying out the Program, the Administrator shall, as appropriate, coordinate with other relevant Federal agencies, including the Food and Drug Administration and the Consumer Product Safety Commission—

(1) to promote consistency in guidance and review of chemical ingredients across product categories;

(2) to minimize duplication of effort and clarify expectations for manufacturers and other Program participants; and

(3) to support the safe development, marketing, and voluntary adoption of consumer products that meet the Safer Choice Standard or the Design for the Environment Standard.

SEC. 6. SAFER CHOICE CRITERIA.

(a) CHEMICAL SAFETY CRITERIA.—In evaluating whether a product meets the Safer Choice Standard or the Design for the Environment Standard, as applicable, the Administrator shall use a science-based approach that considers, as appropriate—

(1) human health hazards, including carcinogenicity, reproductive and developmental toxicity, neurotoxicity, and endocrine activity;

(2) environmental hazards, including persistence, bioaccumulation, and aquatic toxicity;

(3) product performance considerations to ensure efficacy for the intended use;

(4) packaging sustainability and responsible end-of-life management, as practicable; and

(5) transparency and ingredient disclosure requirements consistent with Program policies.

(b) PRODUCT CATEGORIES.—

(1) SAFER CHOICE PRODUCT CATEGORIES.—Subject to the Safer Choice Standard and Program policies, eligible product categories under the Safer Choice Standard shall include—

(A) all categories recognized by the Environmental Protection Agency under the Safer Choice Standard as of the date of enactment of this Act;

(B) other consumer, cleaning, and institutional products, as applicable; and

(C) such additional categories as the Administrator determines to be appropriate for inclusion under the Safer Choice Standard, consistent with the purpose and policies of the Program.

(2) DESIGN FOR THE ENVIRONMENT PRODUCT CATEGORIES.—Subject to the Design for the Environment Standard and Program policies, eligible product categories under the Design for the Environment Standard may include—

(A) antimicrobial pesticide products registered under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); and

(B) other categories determined appropriate by the Administrator.

(c) SAFER CHEMICAL INGREDIENTS LIST DETERMINATIONS.—The Administrator shall maintain, and as appropriate, update the Safer Chemical Ingredients List in accordance with the Safer Choice Standard, including procedures for adding or removing chemical ingredients.

(d) FULL INGREDIENT DISCLOSURE REQUIREMENT.—

(1) IN GENERAL.—As a condition of certification of a product under the Program, the Administrator shall require the submission and review of sufficient ingredient information for the product, including information describing all intentionally added ingredients, ingredients contained in those ingredients, and relevant residuals present above a

threshold determined by the Administrator, to enable a comprehensive evaluation of the human health and environmental impacts of the product, including through the use of qualified third-party profilers.

(2) REQUIREMENTS.—Any requirement for the submission of information under paragraph (1) shall be—

(A) subject to appropriate protections for confidential business information; and

(B) consistent with applicable law and Agency requirements.

SEC. 7. LABELING; UNAUTHORIZED USE.

(a) VOLUNTARY PARTICIPATION.—Participation in the Program shall be voluntary.

(b) AUTHORIZATION TO USE LABELS.—The Administrator may authorize a person, subject to the terms and conditions established by the Administrator, to use—

(1) the Safer Choice label for a product determined by the Administrator to meet the Safer Choice Standard; or

(2) the Design for the Environment label for a product determined by the Administrator to meet the Design for the Environment Standard.

(c) PROTECTION OF LABELS.—

(1) IN GENERAL.—

(A) AGENCY MARKS.—The Safer Choice label and the Design for the Environment label are marks of the Agency.

(B) PROHIBITION.—No person may use, display, reproduce, or represent the labels described in subparagraph (A) in a manner that is false, misleading, or not authorized by the Administrator.

(2) ENFORCEMENT.—

(A) IN GENERAL.—The Administrator may take appropriate actions to address a violation of paragraph (1), including—

(i) notifying the person of the violation and requesting corrective action;

(ii) terminating or suspending authorization under subsection (b); and

(iii) referring matters to the Attorney General for civil action.

(B) EFFECT.—Nothing in subparagraph (A) limits any authority or remedy available under other law.

SEC. 8. REPORTING AND TRANSPARENCY.

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress and make pub-

licly available a report describing the implementation of the Program, including—

(1) the number of products certified under the Program, including the number of products newly approved, renewed, suspended, or removed during the preceding year;

(2) a summary of significant updates to standards, criteria, procedures, or guidance;

(3) outreach, technical assistance, and stakeholder engagement activities; and

(4) any recommendations of the Administrator to improve the effectiveness or efficiency of the Program.

(b) PUBLIC DATABASE.—The Administrator shall maintain a publicly accessible database of products authorized to use the Safer Choice label or the Design for the Environment label, as applicable.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Administrator to carry out this Act $12,000,000 for each of fiscal years 2028 through 2034.

SEC. 10. EFFECTIVE DATE; SEVERABILITY.

(a) EFFECTIVE DATE.—This Act shall take effect on the date of enactment of this Act.

(b) SEVERABILITY.—If any provision of this Act, or the application of a provision of this Act to any person or circumstance, is held to be invalid, the remainder of this Act, and the application of the provisions of this Act to any other person or circumstance, shall not be affected.

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