

RESOLUTION 35 - 05A

Title: Reverse Onus in the Manufacture and Use of Chemicals

Introduced by: Lawrence A. Reynolds, MD, for the Genesee County Delegation

Original Author: Gerald D. Natzke, DO

Referred to: Reference Committee D

House Action: Referred to the Board for Study

Whereas, Michigan and the Great Lakes region have suffered significant chemical contamination as a result of past manufacturing practices and inadequate business and governmental stewardship, and

Whereas, this historic contamination, particularly by bioaccumulative, persistent chemicals continues to affect the environment and human health, including but not limited to the issuance of Great Lakes sport fish consumption advisories because of the presence of DDT, PCBs, mercury and other contaminants in fish and other aquatic biota, and

Whereas, some chemical contaminants, including pesticides and herbicides in the Great Lakes ecosystem have been associated with developmental delays and neurological impairments in children and other human health effects, and

Whereas, there is emerging concern about the potential environmental and human health impacts of chemicals still in common use, including polybrominated diphenyl ethers (PBDEs), and others, and

Whereas, exposure of the environment and human health to chemicals that are later found to have significant health impacts can result in irreversible health problems in those exposed, as well as significant costs to industry and government for cleanup, and

Whereas, the state of Michigan has a responsibility to exercise leadership in protection of the Great Lakes ecosystem by virtue of its geographic position at the heart of the Great Lakes basin and the linkage between the health of the lakes and the health of Michigan; therefore be it

RESOLVED: That MSMS urge the state of Michigan to adopt and advocate policies that prevent avoidable harm to the environment and human health by placing the burden of proof beyond a reasonable doubt for the safety of chemicals on those manufacturing, handling, importing or proposing to introduce into commerce such chemicals prior to their use; and be it further

RESOLVED: That MSMS urge the state of Michigan to adopt and advocate policies based on the precautionary principle, which holds that when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. The burden of proof should be on the user or producer of a hazardous chemical or product to convince government authorities, beyond a reasonable doubt, that the product does not deserve to be restricted and that it is the least-damaging alternative available; and be it further

RESOLVED: That MSMS urge private parties that are manufacturing, handling, importing, or proposing to introduce into commerce chemicals that may be hazardous to human health or the environment to take such steps and otherwise observe such precautions as are needed to prevent or minimize damage to human health or the environment. These parties should carefully investigate the composition of the product and its properties from the perspective of health and environmental protection. The products shall be clearly labeled with data of importance from the point of view of protecting health and the environment; and be it further

RESOLVED: That MSMS urge the state of Michigan to adopt policies discouraging use of substances that are persistent and liable to bioaccumulate, and advocate adoption of federal laws and polices that ban the use of such substances.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE