

TELEPHONE LOG

EXCEPTED BY: PETITION
RULEMAKING ADMIN. PRCDG

WITH PORTIONS REMOVED: _____

Date: May 31, 2011

Subject: CHAP on Phthalates

CPSC Representative: Michael Babich, HSHS

Non-CPSC Participant: Quin Dodd, Mintz-Levin

Summary:

Mr. Dodd (representing ExxonMobil) called regarding the May 9, 2011 letter from the American Chemistry Council (ACC) Phthalate Ester Panel (PEP) to Michael Babich, Project Manager for the CHAP on phthalates. The letter requested the opportunity to present additional public testimony to the CHAP and clarification of how the CHAP will use unpublished data.

Mr. Dodd had three requests which echo the requests in the letter from the ACC. 1) Will the CHAP consider new, unpublished published studies submitted after September 2011? This is the date after which the CHAP will stop reviewing new publications on phthalates, unless they are critical to their assessment. 2) Will the CHAP release any unpublished data that they are using prior to completing the final report, in the interests of transparency? 3) Will there be additional opportunities for presenting public testimony to the CHAP?

Regarding the first request, I responded that the CHAP would probably consider new data if it is relevant to their assessment. Regarding the second, I said that the CHAP plans to include any published data that are actually used in their assessment in their final report. Regarding the third, I said that I have requested guidance from my superiors on this matter.