January 13, 2020

The Honorable Jared Huffman
Chair
House Committee on Natural Resources
Subcommittee on Water, Oceans,
and Wildlife
Washington, DC 20515

The Honorable Tom McClintock
Ranking Member
House Committee on Natural Resources
Subcommittee on Water, Oceans,
and Wildlife
Washington, DC 20515

Dear Chairman Huffman and Ranking Member McClintock:

On behalf of the Public Access to SunScreens (PASS) Coalition, we wish to express concerns regarding legislation, such as *Defending Our National Marine Sanctuaries from Damaging Chemicals Act of 2019* (H.R. 1834), which may prevent Americans' access to currently marketed sunscreen ingredients as an important tool in skin cancer prevention.

The PASS Coalition is a multi-stakeholder coalition composed of public health groups, dermatologists, sunscreen manufacturers, and others whose mission is to help prevent skin cancer and improve public health by ensuring Americans have access to safe and effective sunscreens and evidence-based education on sun-safe practices.

According to the U.S. Surgeon General nearly 5 million Americans each year are treated for skin cancer, making it the most common form of cancer in the United States, a form of cancer that can be largely prevented. This means there are more new cases of skin cancer each year than breast cancer, prostate cancer, lung cancer and colon cancer combined. The Surgeon General found that treatment for skin cancer cost Americans $8.1 billion per year, and mortality related to these cancers is staggering, with nearly 30,000 combined deaths attributable to melanoma, squamous cell and basal cell carcinomas. More than two people die of skin cancer in the U.S. every hour.

Utilizing comprehensive sun-safe practices is one of the most effective ways to reduce the risk of skin cancer, including the regular use of sunscreen, wearing sun protective clothing, hats and sunglasses, and seeking shade. Broad spectrum sunscreens that protect against both UVA and UVB rays are key mechanisms to prevent sunburn, skin damage, and skin cancer. Skin cancer prevention tools must be combined with comprehensive educational tools to ensure consumer awareness of the risks of skin cancer due to excessive sun exposure and the proper use of sun protection tools. Comprehensive education campaigns and clear messaging from public health groups and government health agencies are vital to reduce the incidence of skin cancer.

Despite the known risk of skin cancer, numerous jurisdictions have placed restrictions on the sale of sunscreens based on limited laboratory testing that led policymakers to believe banning sunscreen would improve coral reef health. A Hawaii state law signed in July 2018 and local ordinances in Florida in late 2018 and early 2019, would eliminate over-the-counter (OTC)

access to over 70% of sunscreens by banning the sale of the ingredients oxybenzone and octinoxate. A similar and more recent law in the U.S. Virgin Islands expanded these sunscreen restrictions beyond oxybenzone and octinoxate to octocrylene. H.R. 1834 would take a similar action by prohibiting the use of sunscreens containing oxybenzone or octinoxate in National Marine Sanctuaries that contain coral.

These alarming actions could significantly reduce consumer access to sunscreen, thus putting consumers at greater risk for skin cancer. Many scientists believe that the controversial studies that provided the basis for previous sunscreen bans were limited to the laboratory setting and are scientifically flawed. These experts argue that the current science has not produced reliable results to make informed policy decisions.

It is important that additional data be collected and analyzed on these issues, not only on the effects that sunscreen ingredients may have on marine life, including coral reefs, but also on the public health effects of curbing access to currently marketed sunscreen ingredients as skin cancer prevention tools. In response, the United States Congress included language in its Fiscal Year (FY) 2020 appropriations package directing the U.S. Environmental Protection Agency (EPA) to contract with the National Academy of Sciences (NAS) to conduct a review of the scientific literature of currently marketed sunscreens' potential risks to the marine environment. An independent scientific review by leading scientists that examines both environmental and human health impacts of access to sunscreen goes beyond any of the limited laboratory tests performed to date. This independent study will evaluate the scientific reliability of current science and identify gaps in our current understanding of coral reef environmental health that can help inform future actions on these issues. Until this NAS study is complete, we urge that Congress not impede access to these important sunscreen ingredients.

The Coalition thanks you for your interest in these important topics, and we look forward to serving as a resource for the subcommittee as it considers this and other pieces of related legislation.

Sincerely,

Michael Werner
On Behalf of the Public Access to SunScreens (PASS) Coalition