

# Fragrances and Fragranced Products: A Strong Alliance

On the front lines of confidential business information protection

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The powerful appeal of many soaps, detergents and cleaning products to consumers is often directly related to the products' scents. Producers and suppliers of cleaning products understand that an amazing amount of research and innovation goes into the creation of product fragrances and that fragrance ingredients are at the leading edge in the defense of protections for trade secrets.

Some nongovernmental organizations (NGOs) have championed complete disclosure of the industry's chemical innovations in the name of transparency. These have taken the shape of calls for an end to rules and procedures protecting confidential business information (CBI) submitted to governments and mandatory, detailed disclosure of product ingredients. In response, governments at both the state and federal levels are entertaining changes in the way CBI has been protected historically. The debate is particularly, though not exclusively, focused on fragrance ingredients. However, in the defense of CBI for fragrance ingredients, the cleaning products industry is working to be the fragrance suppliers' strongest ally.

## Supporting Industry Sustainability

The American Cleaning Institute (ACI; [www.cleaninginstitute.org](http://www.cleaninginstitute.org)) is the principal cleaning products trade association representing the \$30 billion US market. Its members include the formulators of soaps, detergents, and general cleaning products, and the companies that supply ingredients—including the leading fragrance houses.

ACI's mission is to support the sustainability of the cleaning products industry through research, education, outreach and science-based advocacy. ACI's members are dedicated to improving health and the quality of life through sustainable cleaning products and practices. The organization defends the industry's ability to develop, produce and market such products without undue governmental interference.



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## NGO Tactics

Attacks on cleaning products, as well as other formulated products, have been growing among NGOs, government and the media. Fragrances are among the ingredients that are under the most direct and sustained attack. Disregarding the large and growing body of science that supports the safety of these products, individuals and activist groups assert cleaning products cause a host of health problems and that the use of fragrances causes or contributes to these problems. Some industry critics

target specific fragrance ingredients such as the 26 ingredients considered to be allergens by the European Commission. Others are targeting *any* use of fragrances. Unfortunately, these attacks on our products are gaining traction in some government circles.

Although the NGOs calling for limits on the use of fragrances are gaining some governmental support, they are impatient with government's failure to issue rules that restrict fragrance use or the use of specific ingredients. Fortunately, most governments are bound by law to pay attention to the science and can restrict products only when there is demonstrable harm. The burden of proof and process are extremely frustrating to the industry's

antagonists, so they are pursuing alternative routes to product restrictions.

One of the approaches taken by NGOs is to get the public, the formulators of products and retailers to stop accept-

ing certain disfavored ingredients, such as those listed in Europe as allergens, and even whole product categories. This is referred to as "deselection." To accomplish this, NGOs use flawed science, persuasion, adverse publicity and pressure on companies.

To make these efforts more effective, they want to know exactly what ingredients are in each product, including every component of the fragrance. Once they have this information, they can build public pressure on specific product brands to force deselection. Although

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efforts to get explicit governmental restrictions on fragrances and fragranced products have been unsuccessful, efforts to force the disclosure of ingredients have gained traction in a way that is increasingly global.

### Science and Advocacy

The International Fragrance Association (IFRA; [www.ifraorg.org](http://www.ifraorg.org)) leads in the use of the best fragrance ingredient science in advocacy. Since NGO attacks often focus on finished products rather than just the fragrance ingredients contained within, it is essential for those representing the consumer product interests to work with IFRA in the closest possible alliance. ACI's cooperation with IFRA North America, IFRA's US affiliate, is stronger than ever. At the same time, fragrance and ingredient suppliers have grown increasingly active in ACI's activities. Meanwhile, ACI is working with associations representing fragranced products other than cleaning products, such as the Personal Care Products Council ([www.personalcarecouncil.org](http://www.personalcarecouncil.org)).

The fragrance industry has a highly credible source of scientific support in the Research Institute for Fragrance Materials (RIFM). RIFM is the international scientific authority for the safe use of fragrance materials, providing the foundation both for product stewardship in the industry and the defense of fragrances.

### Encouraging Innovation Investments

The irony of the demands for the disclosure of all ingredients in formulas is that such disclosures would impede the movement to ever more sustainable products. That should be the goal of industry, government and the NGOs, yet disclosure has become an end in itself. Consumer products and fragrance industry critics apparently fail to understand that product and ingredient innovations require the protection of trade secrets, or companies will lose the value of those investments.

There are many ways to manage and reduce the risks presented by chemicals, including those used in formulated products. Perhaps the most effective is through the development and use of new chemistries and production processes that reduce risks. This may involve the introduction of new chemicals, but it can also involve the development of processes that reduce the toxicity of chemicals in use or reduce the potential for exposures or releases, reductions in the generation of hazardous wastes, etc. These measures can and often do involve large investments. Those investments may require trade secrets to be protected in order for the full value of the investments to be realized.

It is important to emphasize here that providing information to government is not in question. Governments get what they need and want. The issue is the general release of CBI by governments, which necessarily means release to competitors. Unfortunately, some government agencies are highly responsive to the groups calling for such releases and are looking for ways to release more information previously considered CBI.

At the same time, those demanding the release of CBI do not trust the government. They certainly do not trust industry, giving little credence to its genuine and effective product stewardship programs, such as the Consumer Product Ingredient Communication Initiative ([www.cleaninginstitute.org/IngredientCentral](http://www.cleaninginstitute.org/IngredientCentral)). They are impatient with the slow pace of governmental restrictions on products. They want detailed product information so that they, in effect, can become the regulators.

Fortunately, industry is united in defending CBI throughout the value chain, as well as the business community at large. The stakeholders are working together at the federal level, in the United States and in international forums to assure that the protection of intellectual property is maintained. This will assure continuing innovation to enhance safety while allowing the consumer to continue to enjoy the greatest possible range of products from which to choose.

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