

MICHAEL P. WALLS
VICE PRESIDENT
REGULATORY & TECHNICAL AFFAIRS



June 1, 2012

The Honorable Cass R. Sunstein
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Re: Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities, Docket No. OMB 2012-7602/2012-0003

Dear Administrator Sunstein:

The American Chemistry Council (ACC)¹ appreciates the opportunity to respond to the Office of Management and Budget's request for information regarding *Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities* (77 FR 19357; March 30, 2012). We note that ACC has also separately submitted comments with respect to the Office of the Federal Register's request for comments regarding Incorporation by Reference of standards (77 FR 11414; February 27, 2012).

ACC represents the country's leading producers of chemicals and plastics, the raw materials used to manufacture the vast range of products that make modern life possible. Our organization and membership are touched by voluntary consensus standard development in a number of ways, from material specifications to safety standards. For example, ACC serves as the Secretariat for ANSI Z400.1/Z129.1-2010, the standard for Hazard Evaluation and Safety Data Sheet and Precautionary Labeling Preparation.

It is our view that, to the extent federal regulations recognize private standards, OMB should amend Circular A-119 to establish a preference for consensus standards over non-consensus standards, except in limited circumstances. The Circular should provide supplemental, specific guidance with respect to the definition of consensus standard, the definition of a technical standard, the federal government's process for when and how consensus standards should be preferred to non-consensus standards and guidance with respect to whether and when federal agency employees may or should participate in the development of non-consensus standards.

¹ The American Chemistry Council (ACC) represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people's lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®, common sense advocacy designed to address major public policy issues, and health and environmental research and product testing. The business of chemistry is a \$720 billion enterprise and a key element of the nation's economy.



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Please feel free to contact me with any questions regarding ACC's comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael P. Wall". The signature is written in a cursive style and is set against a light blue rectangular background.

Vice President
Regulatory & Technical Affairs