



**Opening Statement of Chairwoman Renee Ellmers  
Subcommittee on Healthcare and Technology  
“How the Report on Carcinogens uses Science to Meet its  
Statutory Obligations, and its Impact on Small Business Jobs”  
April 25, 2012**

Good morning. I want to thank Chairman Broun for working with me on this joint hearing, and would like to thank our witnesses for being here today. We look forward to your testimony.

We're here today to learn about the Report on Carcinogens and the impact it has on small businesses across America. According to the National Toxicology Program, this report is intended to be a science-based, public health communication tool. However, the Report on Carcinogens has been used by federal and state agencies as a regulatory document - using its listing of substances as a basis for regulatory and legislative action.

Each year, small businesses with less than 20 employees are burdened with compliance regulations that cost them 36 percent more per employee than their larger counterparts. Despite the economic downturn, the regulatory burden on small business continues to grow. Increased regulations mean small businesses must dedicate more money, time, and resources to complying with regulations instead of doing what they do best – creating jobs and innovating new products.

The federal government has an important duty in researching and identifying substances that could cause harm and hazards to public health. But at the same time, our government must recognize the adverse consequences of requiring businesses to call a substance a human carcinogen, without definitive evidence. It is irresponsible and could lead to unnecessary strain for small businesses. The regulatory uncertainty this is causing has already resulted in small businesses delaying the hiring new employees and is causing many small businesses to hold off on making important investment decisions.

Scientists, small businesses, and their representatives are now raising concerns about the quality of this analysis and the process used to list substances in the Report on Carcinogens. Specifically, questions have been raised regarding the peer review process. Reports have shown that this process has failed to meet the independent and objective standards that would justify the overbearing burdens being placed on local economies and businesses - not to mention the insufficient public comment procedures that remain lacking.

The Report on Carcinogens was originally mandated by Congress in 1978 to help aid the research and prevention of many cancers. Although there have been major breakthroughs in the scientific understanding of cancer and its causes, the processes that the National Toxicology Program currently uses to identify carcinogens has not kept pace with scientific developments. Despite warnings that the National Toxicology Program review process for the report must be

improved, there are new concerns that the process for the next report has made only minor substantive changes and is merely a rearranging of the deck chairs.

Small businesses continue to fear the ramifications of this report. When the government publishes scientific information that negatively impacts private businesses, the government has the duty and responsibility to ensure that the information is the product of an objective and scientifically sound process.

Again, I want to thank each of our witnesses for their participation, as well as Chairman Broun and the Science Committee for hosting us today. I look forward to working with you on this important issue. I yield back.