# Toxic Substances Control Act/Section 5: Society of Chemical Manufacturers & Affiliates Publish Survey Addressing Review Process

**Walter Wright, Jr.**
wwright@mwlaw.com
(501) 688.8839

09/17/2026

The Society of Chemical Manufacturers & Affiliates ("SOCMA") released on August 13th a survey of its members addressing Section 5 of the Toxic Substances Control Act's ("TSCA") review process.

SOCMA describes its role as supporting and fostering the growth of the specialty chemical industry by delivering legislative and regulatory advocacy, promoting the highest levels of safety, and strengthening business intelligence and manufacturing operations.

TSCA was enacted in 1976 to give the United States Environmental Protection Agency ("EPA") broad authority to evaluate, regulate, and control chemical substances in United States commerce. The program applies to any chemical that is manufactured, imported, processed, distributed, or used in the United States. This is the case whether it is a raw material, intermediate, or within the finished products and articles.

Section 5 of TSCA addresses the New Chemicals Review. It requires manufacturers and importers of new substances to seek EPA's approval by submitting pre-manufacturer notices. Further, EPA is required to make affirmative findings on new chemicals before entry into the marketplace.

SOCMA states that its survey findings indicated that nearly 93 percent of manufacturers say a more timely and predictable TSCA Section 5 review process, which governs EPA's review of new chemicals before they enter the market, would increase the likelihood of reshoring manufacturing and products to the United States.

The summary of the survey further indicates that:

… an increasingly lengthy and unpredictable review process is affecting decisions about where new products are commercialized, where manufacturing investments are made, and whether innovative chemistries are developed in the United States or abroad.

The survey's "key findings" are stated to include:

- More than 60 percent of respondents report EPA review timelines exceeding one year.
- 100 percent of companies experiencing delays said product commercialization has been postponed.
- 82 percent report losing business opportunities because of prolonged reviews.
- 70 percent have canceled projects due to regulatory delays.

- Two-thirds say review delays are affecting decisions about locating manufacturing in the United States.
- Nearly 93 percent say a more timely, transparent review process would increase the likelihood of reshoring manufacturing and products to the United States.
- 100 percent say greater certainty and predictability would encourage additional U.S. investment.

A copy of the SOCMA survey summary can be found here.