

# CA Proposing New Flame Retardant Regulations

JASON DEAREN, Associated Press

SAN FRANCISCO (AP) — California proposed regulations on Friday that would set new flammability standards and allow furniture and some children's product manufacturers to stop using chemical flame retardants.

The change was proposed after decades of complaints about the spread of chemicals known as PBDEs and TDCPP into the environment.

California is the only U.S. state with a mandatory flammability standard for residential furniture, a standard often achieved by the use of chemically treated foams. The rule has become the de facto standard for the rest of the nation.

In June, Gov. Jerry Brown ordered the state Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation to re-examine the standard to reduce manufacturers' reliance on toxic chemicals.

Regulators say the new rules would cut fire danger by focusing protection efforts on actual ignition sources such as cigarettes, radiant heaters, extension cords and fireplace embers, rather than on outdated sources such as candle flames.

"All are smoldering sources," said Tonya Blood, the bureau's chief.

The U.S. Centers for Disease Control and Prevention say people are being exposed to the chemicals by eating fish or breathing dust that has been contaminated.

People tested in the U.S. had levels of the chemicals in their bodies several times higher than people tested in Europe, the CDC said.

Animal studies have shown PBDEs can affect brain development, but human health effects are still unknown, according to the CDC.

While use of the PBDEs and TDCPP — which is listed as a carcinogen under California's Proposition 65 — have been regulated in California, furniture manufacturers have replaced the substances with similar chemicals that have also raised concerns.

So, instead of banning the chemical retardants, the new rules seek to allow manufacturers to stop using the chemicals in treating foam. The proposal came after a federal study found no significant difference in the flammability of foams treated with chemical retardants and those that were not treated.

The current standard requires that foams and other furniture filling withstand exposure to an open flame for 12 seconds.

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The regulation exempts a number of baby-related products, including baby mattresses, infant swings, changing pads and some other products.

State studies found that cover fabric in products ignites first in a fire, not the interior foam. The covers can be made from flame-resistant materials without chemical treatment.

The new rules call for cover fabrics and foams to be tested instead with a smoldering cigarette — the leading cause of furniture fires — but would no longer require that the interior padding or foam be able to withstand an open flame for 12 seconds.

"I've always stressed that we would not support any new regulations that reduced fire safety," Donald Lucas, an expert on furniture flammability at the Lawrence Berkeley National Laboratory, said in a conference call with reporters. "The nice thing about this is, we're convinced there will be no reduction in fire safety benefits."

The regulations will go through 45 days of public comment and also require approval of the state Office of Administrative Law. If the regulations are enacted, manufacturers would have to be in compliance by July 1, 2014.

Consumer groups who have long advocated for these kinds of changes applauded the new rules.

"With this new standard, families will be able to buy furniture and other products without these harmful chemicals, since smart companies will start making products that are fire-safe and do not use toxic flame retardants," Michael Green, executive director of the Center for Environmental Health in Oakland, said in a statement.

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