

## History of Flame Retardant Policy

Twelve states and Washington D.C. have passed thirty-two policies regulating flame retardants. This includes bans on octaDBE and pentaDBE (11 states), decaBDE (6 states), and chlorinated Tris (5 states and D.C.).

### 2003

- **California** banned products containing more than 1/10 of 1% by mass of the flame retardants pentaBDE or octaBDE (AB 302)
- **Michigan** banned products contains more than 1/10 of 1% of the flame retardant pentaBDE (HB 4406)

### 2004

- **California** moved up the effective date of a ban on the flame retardants pentaBDE and octaBDE by a year and a half (AB 2587)
- **Hawaii** banned products containing more than 0.1% of the flame retardants pentaBDE or octaBDE (HB 2013)
- **Maine** banned products containing added brominated flame retardants (LD 1790)
- **Michigan** authorized establishing a committee to determine the risk posed by the release of toxic flame retardants PBDEs, other than pentaBDE or octaBDE, to human health and the environment (SB 1458)
- **New York** banned the use of flame retardants pentaBDE and octaBDE, and created a task force to review and report on relevant studies, risk assessments, findings, or rulings on decaBDE and its alternatives (S 7621)
- **Washington** directed the Department of Ecology to move forward on phasing out the use of PBDEs (Executive Order 14-01)

### 2005

- **Illinois** banned products containing more than one tenth of 1% of the flame retardants penta-BDE or octa-BDE, and directed the Illinois EPA to review and report on the health impacts of and alternatives available to decaBDE (HB 2572)
- **Maryland** banned products containing the flame retardants pentaBDE and octaBDE, and required the Department of the Environment to report on decaBDE in products sold in the state and the human body burden, and make recommendations regarding its use, sale, and disposal (HB 83)
- **Oregon** banned pentaBDE and octaBDE, ands recommend banning decaBDE if

safer alternatives are nationally available (SB 962)

## 2006

- **Maine** created a report on alternatives to the flame retardant decaBDE (Executive Order)
- **Rhode Island** restricted the manufacturing and distribution of flame retardants containing pentaBDE or octaBDE, and required study on decaBDE (HB 7917)

## 2007

- **Maine** passed a resolution clarifying their earlier PBDE phase-out (LD 1658)
- **Minnesota** banned products containing the toxic flame retardants pentaBDE and octaBDE, and required review of decaBDE for safer alternatives, fire safety, and any evidence regarding the potential harm to public health and the environment (SF 2096)
- **Washington** banned the sale of certain products containing PBDEs, and restricts the sale of mattresses, televisions, computers, and residential upholstered furniture containing decaBDE, and requires the state to study alternatives (HB 1024)

## 2009

- **Oregon** phased out decaBDE (SB 596)
- **Vermont** banned octaBDE and pentaBDE from all products, decaBDE from certain home products (mattresses and pads, residential furniture, televisions and computers), and prohibited replacing decaBDE with a known or suspected carcinogen, or a chemical identified by the U.S. EPA as causing birth defects, hormone disruption, or harm to reproduction or development (H 444 / S 109)

## 2010

- **Hawaii** passed a resolution supporting the industry phase-out of the flame retardant decaBDE, and encouraging the EPA to continue its efforts to end importation of decaBDE into the U.S. (HCR 235 / SR 107)
- **Maine** banned the manufacture and sale of shipping pallets, or any product made from them, containing decaBDE (LD 1568)
- **Maryland** banned mattresses, residential upholstered furniture, and electronic equipment containing decaBDE (SB 556)

## 2011

- **New York** enacted a first-in-the-nation ban on children's products containing chlorinated Tris (TCEP) (A 6195)

## 2013

- **California** required the state fire marshal review flammability standards and chemical flame retardants, and propose updated insulation flammability standards that maintain both overall building safety and occupant/firefighter protection (AB 127)
- **Maryland** banned Tris (TCEP) from children's products (HB 99)
- **Vermont** banned Tris (TCEP & TDCPP) from products for children under 12 and residential upholstered furniture (S 81 / H 241)

## 2014

- **Maryland** banned chlorinated Tris (TDCPP) from products for kids three years of age and younger (HB 229)
- **New York** banned chlorinated Tris (TDCPP) from products for kids three years of age and younger (AB 4741 / SB 3703)
- **California** required furniture to indicate if contains added flame retardants, and made product information available online (SB 1019)

## 2015

- **Minnesota** banned toxic flame retardants DecaBDE, HBCD, TCEP, TDCPP from children's products, mattresses, and residential upholstered furniture, and specifies they not be replaced with carcinogens, endocrine disruptors, or other chemicals that cause developmental toxicity (HF 1100 / SF 1215)
- **New York** established a list of priority chemicals and chemicals of high concern, requires reporting on and banning of priority chemicals in children's products, and banned children's products containing chlorinated Tris, lead, mercury, formaldehyde (SB 4102 / AB 5612)

## 2016

- **Washington** established a process for the department of health to restrict the use of current and future toxic flame retardants, banned children's products and residential furniture containing DecaBDE, HBCD, TCEP, TDCPP, or additive

TBBPA (HB 2545 / SB 6440)

- **Washington D.C.** banned toxic flame retardants TDCEP and TDCPP from children's products and residential upholstered furniture, ensured they wouldn't be replaced with polybrominated diphenyl ethers, and allows the Mayor to request certificates of compliance from manufacturers (B21-0143)