

History of Flame Retardant Policy

Twelve states have passed twenty-eight policies regulating flame retardants.

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 OctaBDE and PentaBDE from all products, banned the sale of mattresses and furniture with decaBDE, and banned Tris (TCEP & TDCPP) from children's products and furniture (S 81 / H 241)

2014

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