

# HARTFORD COURANT

## Watchdog Update: Pressure grows for limits on flame retardants

New York moves toward banning cancer-causing chemical in children's products; nurses and moms march in D.C. for tougher regulations

By **Michael Hawthorne**, **Sam Roe**, **Patricia Callahan** Chicago Tribune reporters  
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In New York state, lawmakers are moving to ban a **cancer**-causing flame retardant from children's products.

At the U.S. Capitol, more than 100 **nurses**, mothers and cancer survivors marched for tougher federal regulation of the chemicals. And in Washington state, environmental groups are calling for a crackdown on a popular flame retardant.

Since the **Tribune** published its "**Playing With Fire**" series, momentum has been building for stricter oversight of flame retardants and other toxic chemicals.

The newspaper's investigation documented a deceptive campaign by industry that distorted science, created a phony consumer watchdog group to stoke the fear of fire and organized an association of top fire officials to advocate for greater use of flame retardants in furniture and electronics.

Promoted as lifesavers, flame retardants added to furniture cushions actually provide no meaningful protection from fires, according to federal researchers and independent scientists. Some of the most widely used chemicals are linked to cancer, neurological deficits, developmental problems and impaired fertility.

"Your series was an eye-opener," said Joseph Erdman, legislative director for the New York Senate Committee on Environmental Conservation. "We hope other people around the state and nation read it."

The committee has revived legislation targeting a chemical known as chlorinated tris, or TDCPP, that was voluntarily taken out of children's pajamas more than three decades ago after studies found it could cause cancer. Recent tests have found that chlorinated tris now is commonly added to strollers, highchairs, rockers, diaper-changing pads and other baby products.

The bill, which must clear another committee before the full Senate considers sending it to Gov. **Andrew Cuomo**, would prohibit companies from selling children's products containing chlorinated tris as of December 2014. If signed into law, it could pressure retailers to keep the products off store shelves nationwide, as they did amid public outcry about plastic baby bottles made with hormone-disrupting bisphenol A.

New York's legislation is part of a wider battle being waged in statehouses and Congress over chemicals that industry is fiercely trying to protect amid growing concerns about their effects on people and wildlife.

States are acting in part because the federal Toxic Substances Control Act gives the government little power to assess or limit dangers from the scores of chemicals added to furniture, electronics, toys, cosmetics and household products. Even when health risks are identified, the federal law makes it practically impossible to ban chemicals.

For example, because chlorinated tris wasn't formally banned in the late 1970s, chemical companies can legally use it in other consumer products without informing government officials or the public. It has become one of the most widely used flame retardants in household furniture.

Critics say the most effective solution is a sweeping overhaul of the federal chemical law, which hasn't been updated since 1976.

The mothers and nurses who rallied Tuesday on Capitol Hill called on lawmakers to back the Safe Chemicals Act, a bill sponsored by Sen. **Frank Lautenberg**, D-N.J., that would give the **U.S. Environmental Protection Agency** more authority to regulate chemicals and require manufacturers to prove their products are safe before putting them on the

market.

Lautenberg's bill, co-sponsored by U.S. Sen. **Dick Durbin**, of Illinois, remains mired in a Senate committee amid strong anti-EPA sentiment from Republican lawmakers.

"Toxic chemicals are everywhere," said Jessica Burroughs, 40, of **Durham**, N.C., who led her 6-year-old son around the Capitol to meet with lawmakers. "I ask, why is the government not protecting us?"

At a news conference organized by Safer Chemicals, Healthy Families, a coalition of environmental and health groups, Hannah Pingree, the 35-year-old former speaker of the Maine **House of Representatives**, told the protesters about her experience securing a ban on certain flame retardants in her state.

"In Maine we came face to face with the same lobbyists and sham tactics from the chemical industry that were just exposed in the Chicago Tribune," said Pingree, four months pregnant with her second child. "But Maine is a small state with limited resources, and while we hoped our actions would protect kids, we knew that Washington needed to act to really fix this problem."

The American Chemistry Council, the chief trade group for the chemical industry, says it prefers revising the federal law to dealing with a patchwork of state regulations. But it strongly opposes the Lautenberg bill and has rejected requests from Democratic senators to suggest changes.

"We will continue to work with both **Democrats** and **Republicans** in Congress to create a feasible science-based solution that will give consumers confidence that chemicals are being used safely and foster innovation and job creation in the U.S," the group said Tuesday in a statement.

At the state level, the chief opponent of legislation restricting the use of flame retardants is the Citizens for Fire Safety Institute, a group that has billed itself as "a coalition of fire professionals, educators, community activists, burn centers, doctors, fire departments and industry leaders."

But as the Tribune reported, the organization is actually a front group for the three largest makers of flame retardants, **Albemarle Corp.**, **Chemtura Corp.** and ICL Industrial Products.

Since then, Citizens for Fire Safety has changed its website to acknowledge that it is a trade group funded by those companies. Quotes on the site from two physicians who spoke favorably about flame retardants and the group's commitment to saving lives also were deleted.

The chemical industry says chlorinated tris is safe as used, and Citizens for Fire Safety thwarted a proposed ban in Washington state this spring. But in response to the Tribune series, activists are asking the state's Department of Ecology to add the flame retardant to its list of chemicals "of high concern to children," which would require manufacturers of children's products to disclose their use of the chemical.

Last year, industry lobbyists fought successfully in New York to strip chlorinated tris out of legislation that banned a related chemical, TCEP, from children's products. But on the eve of the recent vote by the New York committee, copies of the Tribune series were distributed to senators by Kathleen Curtis, a nurse who leads a group called Clean and Healthy New York, and Andrew McGuire, a burn survivor and advocate. The bill passed unanimously.

"We said (the series) proves what we've been saying all along," Curtis said. "They lie. They buy testimony. They misrepresent science. The chemicals don't work. They're unnecessary. They're harmful."

The Safer Chemicals, Healthy Families group has called on the American Chemistry Council to expel the major flame retardant makers for ethical lapses. In a letter, the advocates wrote that the Tribune series documented practices "that can only be described as deeply unethical, completely lacking in scientific integrity, and deliberately misleading of policy makers and the general public."

A spokeswoman for the industry group said it had received the letter but declined to comment.

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