

According to [Safer States](#), a network of environmental health coalitions and organizations in the states that promotes state and national policy to protect people and the environment from the impacts of the use of chemicals, 12 states have policies on the books addressing toxic flame retardants and presently 18 states have legislation pending. To follow are brief descriptions of the states' adopted policies on toxic flame retardants. As you'll see, most of these prohibitions on flame retardants have been in place for 10 years or more. Maryland, Minnesota, New York, and Vermont have enacted legislation specific to children's exposure to certain toxic flame retardants.

## California

**2003 - AB 302:** Bans products containing more than 0.1% of the flame retardants pentaBDE or octaBDE, by mass. **AB 2587, enacted in 2004**, moves up the effective date of the ban on the flame retardants penta- and octa- by 18 months.

**2014 - SB 1019:** Requires manufacturers of products to indicate if the product contains added flame retardant chemicals, to include a statement on the product label, and make information available online.

**2013 - AB 127:** Requires 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.

## Hawaii

**2004 - HB 2013:** Bans products containing more than 0.1% of the flame retardants pentaBDE or octaBDE. *[same as California AB 302]*

**2010 - HCR 235 / SR 107:** Supports the industry phase-out of the flame retardant decaBDE, and encourages the EPA to continue its efforts to end importation of decaBDE into the U.S.

## Illinois

**2005 - HB 2572:** Bans products containing more than 0.1% of the flame retardants pentaBDE or octaBDE. Directs the Illinois EPA to review the health impacts of and alternatives available to decaBDE, and submit a report to the Governor. *[same as California AB 302 and Hawaii HB 2013]*

## Maine

**2004 - LD 1790:** Bans products containing added brominated flame retardants.

**2007 - LD 1658:** Clarifies earlier PBDE phase-out to ban the manufacture and sale of shipping pallets and products manufactured from recycled shipping pallets that contain the deca- mixture of polybrominated diphenyl ethers.

**2010 - LD 1568:** Prohibits the manufacture and sale of shipping pallets, or any product made from them, containing decaBDE.

**2006 - Executive Order 12 FY 06/07:** Authorizes DEP to submit legislation to phase out mercury batteries, and improve mercury thermostat recovery. Creates a report assessing lead-free alternatives in consumer products, and one on alternatives to the flame retardant DecaBDE. Underscores commitment to environmentally preferable procurement, including lead-free wheel weights and uniforms that don't require cleaning with perchloroethylene. Establishes Governor's Task Force to Promote Safer Chemicals in Consumer Products.

## **Maryland**

**2005 - HB 83:** Bans products containing the flame retardants penta- and octa- brominated diphenyl ether. Requires the Department of the Environment to report decaBDE in products, and make recommendations regarding the use, sale, and disposal of products containing it.

**2010 - SB 556:** Bans mattresses, residential upholstered furniture, and electronic equipment containing decaBDE by 2010.

**2013 - HB 99:** Bans Tris (TCEP) from children's products.

**2014 - HB 229:** Bans kids' products containing the toxic flame retardant Tris (TDCPP)

## **Michigan**

**2003 - HB 4406:** Bans products containing more than 0.1% of the flame retardant pentaBDE. *[similar to California AB 302 and Hawaii HB 2013]*

**2004 - SB 1458:** Authorizes the Department of Environmental Quality to establish a committee to determine the risk posed by the release of toxic flame retardants PBDEs, other than penta-BDE or octa-BDE, to human health and the environment.

## **Minnesota**

**2007 - SF 2096:** Bans products containing the toxic flame retardants penta- or octa- BDE. Requires review of the flame retardant decaBDE, review of safer alternatives, fire safety, and any evidence regarding the potential harm to public health and the environment.

**2015 - SF 1215:** Bans listed toxic flame retardants from children's products, mattresses, and residential upholstered furniture, prohibits manufacturers from replacing banned chemicals with chemicals that are carcinogens, endocrine disruptors, or otherwise cause developmental toxicity.

## **New York**

**2004 - S 7621:** Prohibits the use of flame retardants pentaBDE and octaBDE. Create a task force on flame retardant safety to review and report on relevant studies, risk assessments, findings, or rulings on decaBDE and its alternatives.

**2011 - A 6195:** Enacts a first-in-the-nation ban on children's products containing the flame retardant chlorinated Tris (TCEP).

**2014 - AB 4741 / SB 3703:** Bans toxic flame retardant TDCPP in children's products for kids three years of age and younger.

**2015 - SB 4102 / AB 5612:** Establishes a list of priority chemicals and chemicals of high concern, requires reporting on and banning of priority chemicals in children's products, allows collaboration with the Interstate Chemicals Clearinghouse. Also bans children's products containing chlorinated Tris, lead, mercury, formaldehyde.

## **Oregon**

**2009 - SB 596:** Phases the toxic flame retardant decaBDE from products bought and sold in the state

**2005 - SB 962:** Bans the toxic flame retardants pentaBDE and octaBDE, and recommends banning decaBDE if safer alternatives are nationally available.

## **Rhode Island**

**2006 - HB 7917:** Restricts the manufacturing or distribution of flame retardants containing pentaBDE or octaBDE, and requires study on decaBDE.

## **Vermont**

**2009 - H 444 / S 109:** Bans the flame retardants octaBDE and pentaBDE from all products, and decaBDE from certain home products (mattresses and pads, residential furniture, televisions and computers). Prohibits a manufacturer from replacing decaBDE with a known or suspected carcinogen, or a chemical identified by the US EPA as causing birth defects, hormone disruption, or harm to reproduction or development.

**2013 - S 81 / H 241:** Bans the flame retardants OctaBDE and PentaBDE from all products, bans the sale of mattresses and furniture with decaBDE, and bans Tris (TCEP and TDCPP) from children's products and furniture.

## **Washington**

**2007 - HB 1024:** Bans the sale of certain products containing the flame retardants PBDEs and mattresses containing decaBDE, and requires the state to study alternatives to them. Restricts the sale of televisions, computers, and residential upholstered furniture containing decaBDE as a result of the Departments' finding that safer and technically feasible alternatives that meet fire safety standards are available.

**2004 - Executive Order 04-01:** Directs the Department of Ecology to move forward on phasing out the use of PBDEs.