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35 Health, Environmental Groups Support EPA Rules on Toxic Flame Retardants
*Notification, testing requirements essential
to reduce public exposure to notorious class of dangerous chemicals*

FOR IMMEDIATE RELEASE

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(WASHINGTON, D.C. – July 31, 2012) Today Environmental Defense Fund (EDF) and Earthjustice, joined by 33 other health and environmental groups, [filed comments](#) that urge the U.S. Environmental Protection Agency (EPA) to swiftly move forward with [two proposed actions](#) to regulate a group of toxic flame retardants called PBDEs (polybrominated diphenyl ethers). The first proposed rule would require anyone intending to begin production, processing or import of any PBDE, or a product containing one, to notify EPA before doing so. This would give the agency an opportunity to evaluate the risks of the proposed activity and if necessary take action to restrict or prohibit it. The second proposed rule would require anyone who continues after 2013 to produce, process or import any PBDE, or a product containing one, to conduct extensive tests needed to allow EPA to determine the risks posed by those ongoing activities.

While the significance of these rules may not be self-evident, these are some of the most stringent restrictions that EPA is permitted to take to regulate the safety of chemicals under the Toxic Substances Control Act, the flawed and obsolete statute that ties EPA's hands in trying to ensure the safety of the chemicals that are produced and used in this country.

The groups' comments filed today:

- strongly support the EPA's decision to apply the notification and testing requirements to products containing PBDEs, and rebut arguments made by others against applying them to products;
- urge the EPA to apply the requirements to recycled products containing PBDEs whether the PBDEs are intentionally or only incidentally added to the products;

- urge the EPA to require that importers of PBDEs as part of a product comply with import certification requirements, and to require exporters of products containing PBDEs to notify the EPA of the export; and
- given the strong evidence that PBDEs pose significant risks, urge the EPA to finalize the proposed rules as soon as possible.

“The evidence against PBDEs couldn’t be clearer, and the EPA is well within its legal authority to take these regulatory actions,” said Earthjustice staff attorney Eve Gartner. “We will work hard to ensure the EPA’s proposed rules are finalized as soon as possible.”

The groups emphasized how critical it is for the EPA to extend the proposed rules to cover products containing PBDEs. “While most domestic production of PBDEs has ceased or soon will, their import in products remains a real concern,” said EDF senior scientist Dr. Richard Denison. “The EPA must address PBDEs in products if we are to reduce exposures to these toxic substances.”

PBDEs are detected in the bodies of most Americans—at levels higher than found in people living elsewhere in the world—largely as a result of their release from everyday household items such as furniture, electronics, and mattresses. Among other effects, studies show that PBDEs can disrupt normal brain development in ways that lead to learning disabilities and behavioral impairments.

“PBDEs fall into the ‘worst of the worst’ camp of chemicals,” says EDF health scientist Dr. Jennifer McPartland. “Not only are they toxic, they persist in the environment, move up the food chain, and accumulate in our bodies, even including newborns who are especially vulnerable to their toxic effects.”

The recent Chicago Tribune series, [“Playing with Fire,”](#) details a decades-long campaign of deceit by the chemical industry to keep PBDEs on the market, in our homes, and in our bodies. The serious risks posed by PBDEs highlighted in this expose—recognized for years by advocacy groups, researchers, and health professionals—have garnered the attention of officials at the highest levels. Earlier this month [26 Senators wrote a letter to EPA Administrator Lisa Jackson](#) urging her agency to “move as quickly as possible with its current efforts to protect American families from the toxic effects of PBDEs”—which include finalizing the proposed rules that are the subject of the comments the groups filed today. [end]