Memorandum of Support

April 22, 2013

Sweeney (A.4741)/ Grisanti (S.3703)

Title: An act to amend the Environmental Conservation Law in relation to expanding the “TRIS-Free Children and Babies Act.”

Purpose: The purpose of this bill is to limit children’s exposure to the flame retardant TRIS (TRIS [1.3-dichloro-2-propyl] phosphate, known as TDCPP) by banning it from use in child care products in children under three, including (but not limited to), baby products, toys, car seats, nursing pillows, crib mattresses, and strollers.

Justification: The hazardous flame retardant TRIS has been banned from children’s clothing since 1977, yet the market today is rife with children’s products using this same cancer-causing chemical. As noted in the Milwaukee-Wisconsin Journal Sentinel, “One program within the U.S. Environmental Protection Agency has identified [chlorinated TRIS] as a cancer hazard and notes that it caused reproductive problems, developmental defects, anemia, liver failure and eye and skin irritation in laboratory animals.” California added TDCPP to its Proposition 65 list, which lists “chemicals known to the state of California to cause cancer and birth defects or other reproductive harm.” This legislation would ban the sale of any childcare product in NY containing the flame retardant after December 1, 2014.

If enacted, this legislation would effectively reduce a child’s exposure to this harmful chemical, as TRIS is easily absorbed through the skin and ingested through oral contact with TRIS-treated products. The TDCPP form of TRIS does not chemically bond to the products it is present in; therefore TDCPP ends up in indoor air and dust, in the environment, and even in human tissue. The need for fire suppressants in child accessories is low and not worth the risks associated with cancers and developmental problems. Flame-retardants with low health hazards are already available to manufacturers and are growing in use and availability. The furniture manufacturer IKEA has already phased out TRIS from its products as of August 2010.

Because of the serious health risks associated with this chemical and the traces of TRIS found in the environment, it is imperative that this bill become law in New York State. Phasing out this harmful and unnecessary chemical will have a lasting effect on the health of New York’s children and provide a framework for manufacturers to eventually phase out this harmful chemical in all products.

The Sierra Club Atlantic Chapter Strongly Urges Your Support of A.4741/S.3703