



**Testimony before the House Great Lakes & Environment Committee**

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Supporting HB 4699, phasing out the toxic flame retardant deca-BDE in 4 product categories for  
which safer, effective alternatives are in widespread use**

Thank you, Chair Warren and all members of the Great Lakes & Environment Committee for taking up this important bill to phase out certain uses of the toxic flame retardant deca-BDE for which safer, effective alternatives are in widespread, successful use.

The Michigan Network for Children's Environmental Health, for which I am Policy Director, strongly supports this bill and has placed its passage as one of our top legislative priorities. This Network's 20 member organizations are dedicated to a safe and less toxic world for Michigan's children. Our membership includes some of the state's leading medical organizations (such as the American Academy of Pediatrics – Michigan Chapter and the Michigan Nurses Association), health-affected organizations (such as the Learning Disabilities Association and Autism Society of Michigan) and environmental organizations (such as the Ecology Center, Clean Water Action, Michigan Environmental Council, and Michigan League of Conservation Voters).

We have provided each of you with a large packet of information about the harms of deca-BDE, the extraordinary coalition of organizations supporting this bill, the strong support of the fire fighting community to phase-out deca-BDE and the fact that effective alternatives are already in widespread use. Rather than reiterate the entire case for this legislation, I want to briefly highlight five key points before handing this over to my colleague at the Ecology Center.

**1) Deca-BDE is a Significant Health & Environmental Threat**

The reason that many of the state's leading health, medical, health-affected and environmental organizations are strongly supporting this bill is because this chemical is building up in fish in the Great Lakes, and in us. The emerging scientific evidence in lab animals shows that deca may be harmful to developing babies. Others in MNCEH will expand upon these findings.

**2) This Legislation Would Finish the Job**

Polybrominated diphenyl ethers (PBDEs), such as deca-BDE, are chemically very similar to PCBs, which is why the Michigan Legislature banned the two other commercial flame retardants in this family, penta and octa-BDE, in a nearly unanimous vote in 2004. These bills also asked for further study of the remaining commercial PBDE (deca) about which less was known at the time. The State's Interdepartmental Toxics Steering Group study took years but came to the same conclusion that every other state study has come to: Deca should be banned, contingent on the availability of safer



alternatives, in part because it likely breaks down into the very chemicals the state has already banned. This bill closely follows the previous legislation and the recommendations from the workgroup by only including product classes for which safer alternatives are being used.

### **3) "Alternatives" are the Norm**

Sony, Dell, Toshiba, Sealy, Serta, Apple, our own Herman Miller, Steelcase, and La-Z-Boy. They are all making high quality products that do not compromise fire safety without adding Deca. In fact, deca has largely been eliminated in furniture and mattresses, 95% eliminated in computers, and 57% eliminated in TVs, according to the Washington State Department of Ecology, which studied this issue. While different companies and industries have followed different strategies, ranging from changing product design to substituting less toxic alternatives, the conclusion is that there is no technological barrier to this bill and there appear to be no financial barriers. In fact, the word "alternative" is a bit of a misnomer since the "alternatives" are now more common than the substance. However, even though deca is slowly being phased out of these products by leading companies, Michigan cannot rely solely on voluntary measures (since there are laggards) and must act to help protect children as soon as possible from this persistent, toxic, unnecessary chemical.

### **4) This bill has nothing to do with fire safety**

There is no necessary tradeoff between fire safety and our health and environment, as the bromine industry will likely try to argue. Alternatives, of course, must meet the same strict fire safety standards, so fire safety is in no way compromised by this bill. The bill does have to do with the safety of fire fighters, since deca can be very hazardous when burned, which is why fire fighting organizations have been some of the strongest advocates for banning PBDEs.

### **5) Michigan would be in good company:**

4 states have restricted deca's use with similar bills; many others are considering taking action. 10 others have banned penta- and octa-BDE, like Michigan. This year, the EPA highlighted deca as one of six chemicals of concern, and will be developing further information on ways to reduce risks. The European Union and countries across the world have banned PBDEs in specific uses. Simply put, there is no reason to risk using this chemical in these products.

Now I will turn it over to my colleague Jeff Gearhart, Research Director at the Ecology Center and for HealthyStuff.org, who will discuss some of the science behind PBDEs and his own leading research on these substances. Thank you.