

STATE OF MARYLAND

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Shari T. Wilson, Secretary**

**BILL NO: SB 353**

**COMMITTEE: Education, Health, and Environmental Affairs**

**POSITION: Support**

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**TITLE:** Environment – Brominated Flame Retardants –  
Decabrominated Diphenyl Ether - Prohibition

**BILL ANALYSIS:** This bill prohibits, after Jan. 1, 2011, the manufacturing, processing, selling or distributing of products that contain more than a certain amount decabrominated diphenyl ether, a flame retardant containing bromine.

**POSITION AND RATIONALE: Support**

Brominated flame retardants have increasingly been found in the environment including in Chesapeake Bay fish, and in human tissue. Although specific health thresholds have not been established, these compounds are sufficiently similar to other compounds with demonstrated health impacts and are both persistent and bioaccumulative, that caution is warranted. Two of three commonly used compounds have already been banned. The delay in banning the deca form was based largely on the concern that a less harmful alternative had not been identified.

The State of Washington, after two years of study has identified resorcinol bis diphenyl phosphate (RDP) as a safer alternative, and noted that design changes such as inherently flame resistant fabrics can be used in many instances when the alternative compound is not applicable. Many companies have voluntarily found alternatives.

After negotiations with EPA the three major producers and importers of deca-BDE have agreed to end the production, importation, and sales of decaBDE for most uses in the United States by Dec. 31, 2012, and EPA is considering whether additional action is warranted.

**FOR MORE INFORMATION,**  
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