



**SF Environment**

**Our home. Our city. Our planet.**

A Department of the City and County of San Francisco

Presented in Committee - October 11, 2017

# Flame Retardants Ordinance





# Program on Reproductive Health and the Environment

Information for Families



Clinical Practice



Research



Policy



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PRHE Director of  
Research Translation  
Oct 11, 2017

# Flame retardants in furniture and children's products

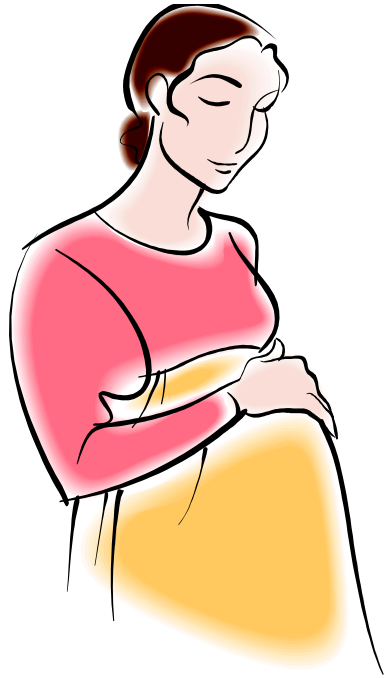
- Health hazards
- Exposure pathways
- Vulnerable populations
  - Low-income pregnant women
  - Children
  - Firefighters

# Flame retardant chemicals: developmental toxicity

Every 10-fold increase in  
PBDE levels

associated with

Loss of 3.7 IQ  
points in children



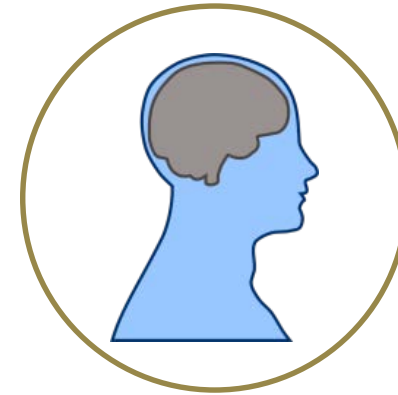
# Flame retardant chemicals: **cancer, reproductive, developmental toxicity**



**Cancer**



**Reduced  
fertility**



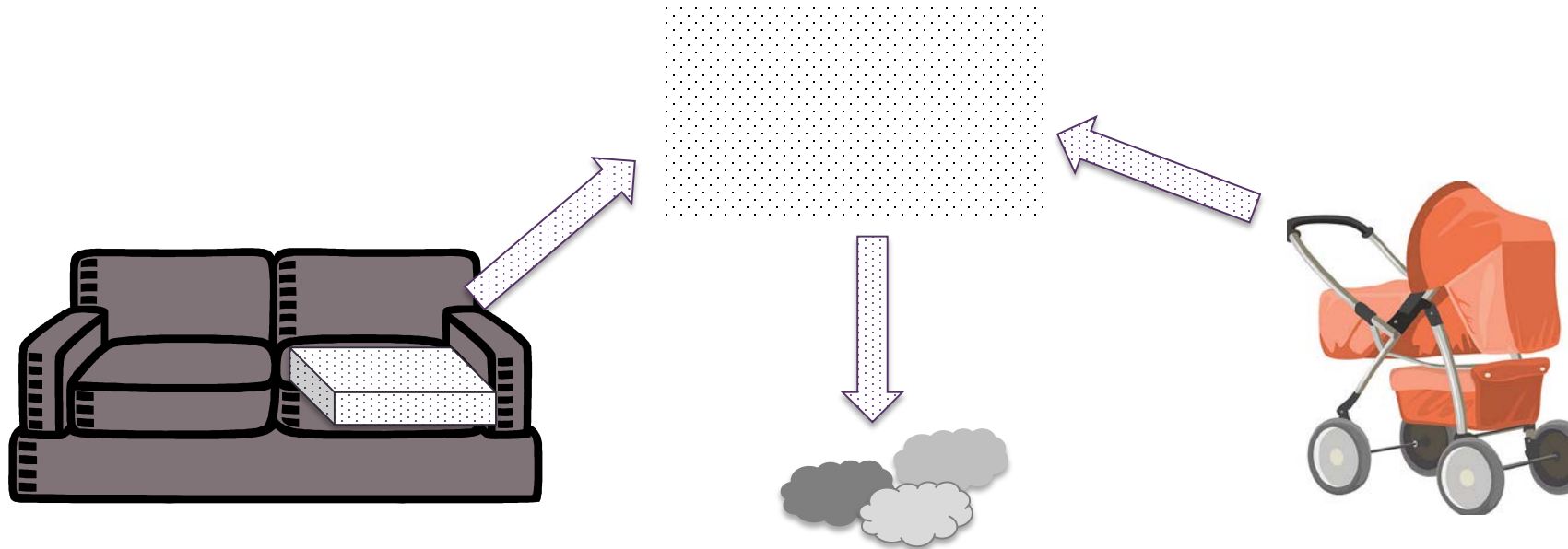
**IQ loss,  
intellectual  
disability**

# Flame retardants continuously migrate out of products

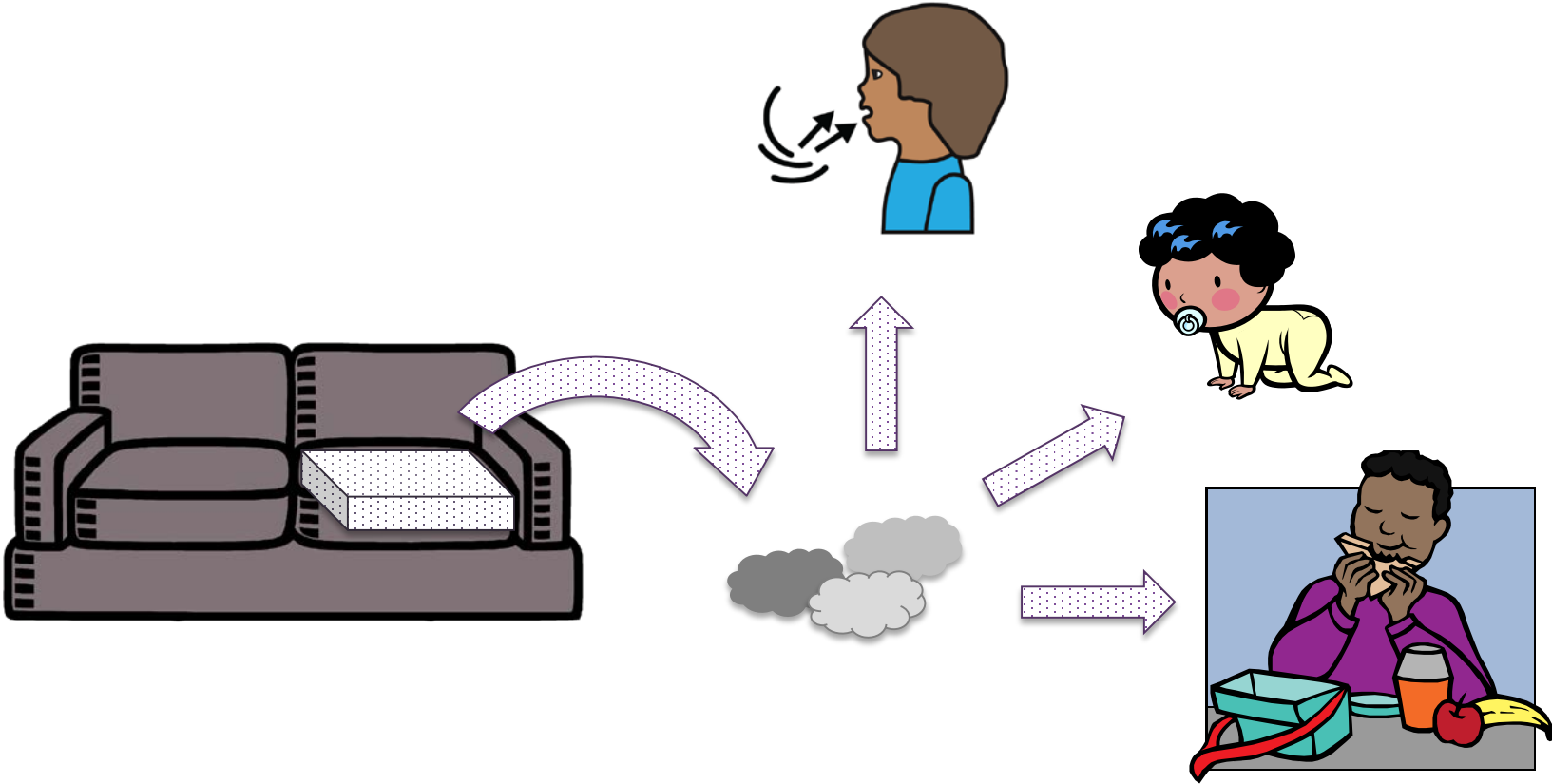
① Not chemically bonded to plastic materials

② Chemicals off-gas Attach to particles in air

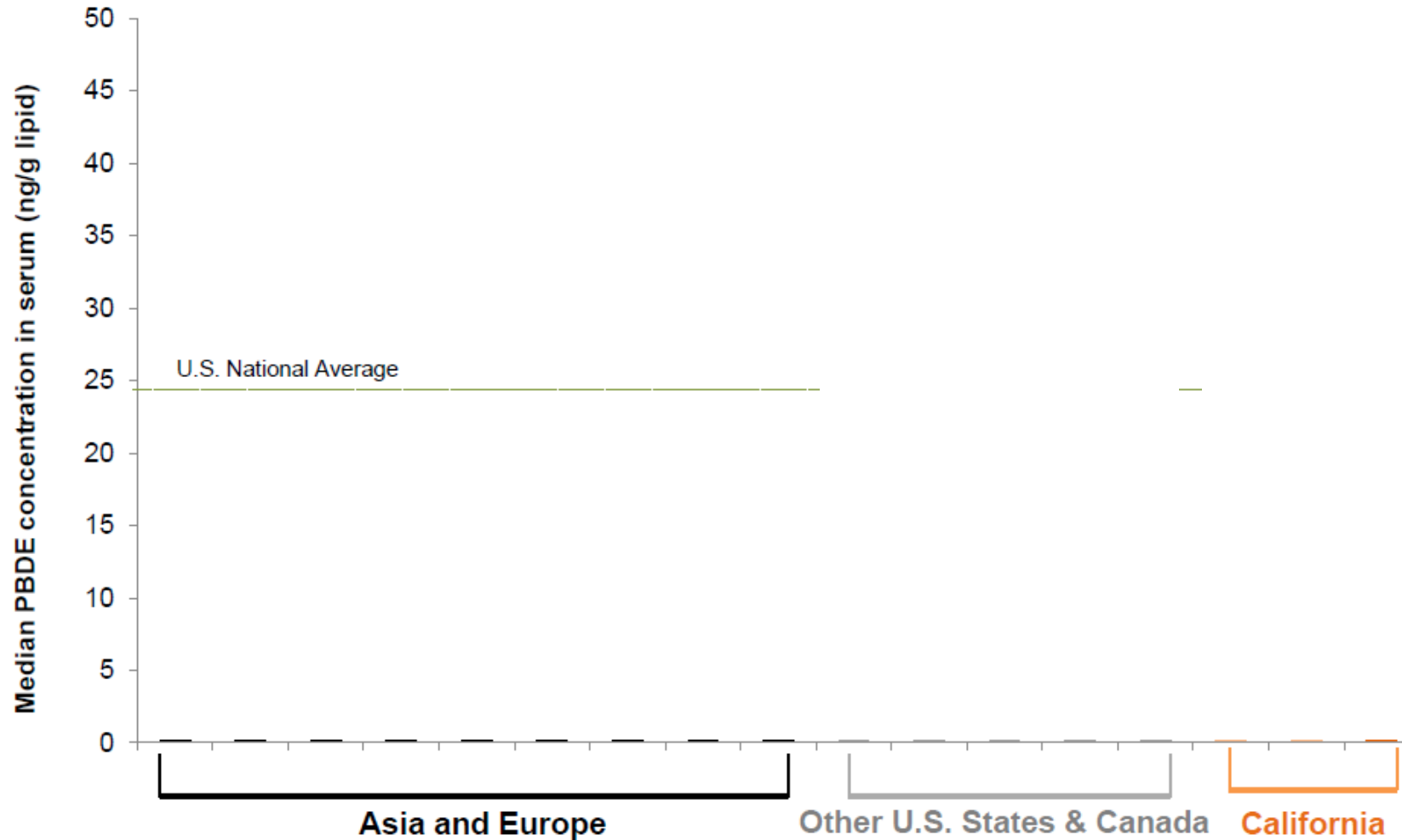
③ Contaminated particles settle in house dust



# Flame retardants enter people's bodies in contaminated air and dust

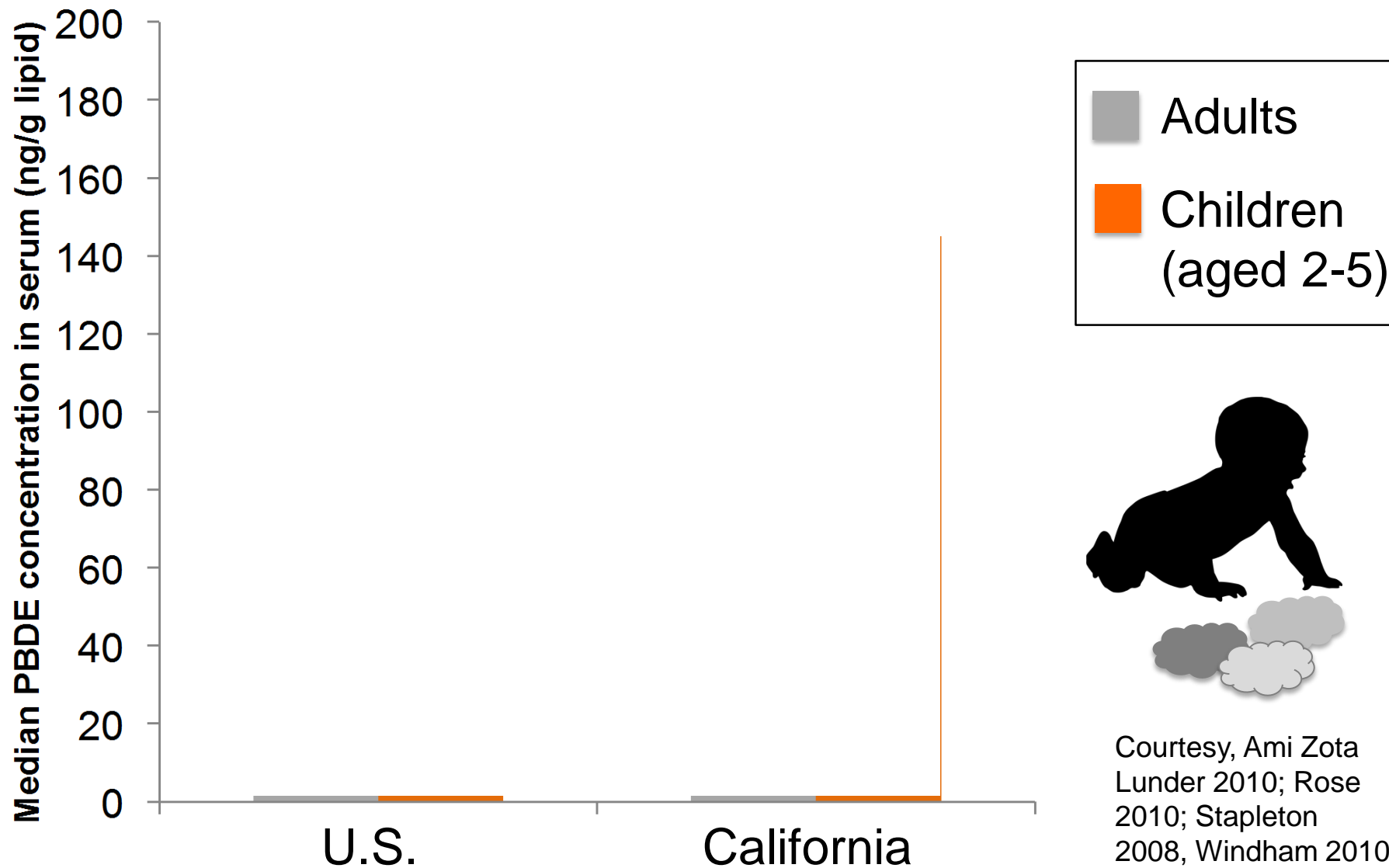


# Low-income, diverse pregnant women in CA have high flame retardant exposures

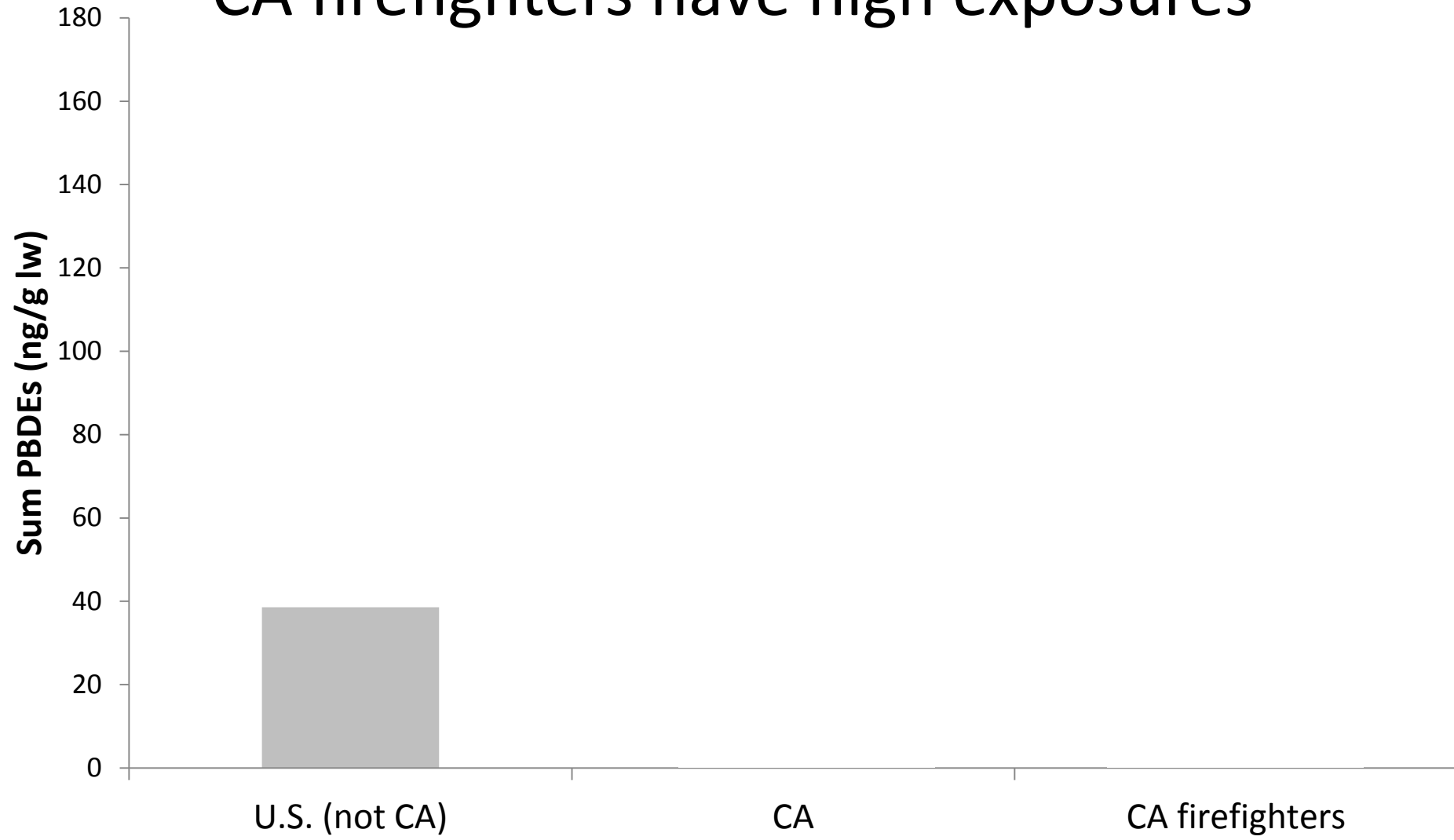




# California children have high exposures



# CA firefighters have high exposures



# Conclusions

- Flame retardants human health hazards: cancer, toxic to development and reproduction
- Migrate out of products, contaminate indoor air and dust
- Populations most at risk: pregnant women, children, firefighters

# Health vs Safety -- A False Choice?



# Flame Retardants No Longer Necessary



# Juvenile Products Exempted



bassinets

changing pads

highchair pads

infant seats

nursing pads

playards

strollers

highchairs

infant carriers

booster seats

floor play mats

infant bouncers

infant swings

nursing pillows

portable hook-on chairs

infant walkers

playpen side pads

children's nap mats



# 2014 CA Labeling Requirement



## Label on Furniture

### NOTICE

THIS ARTICLE MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117-2013. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

The upholstery materials in this product:

contain added flame retardant chemicals  
 contain NO added flame retardant chemicals

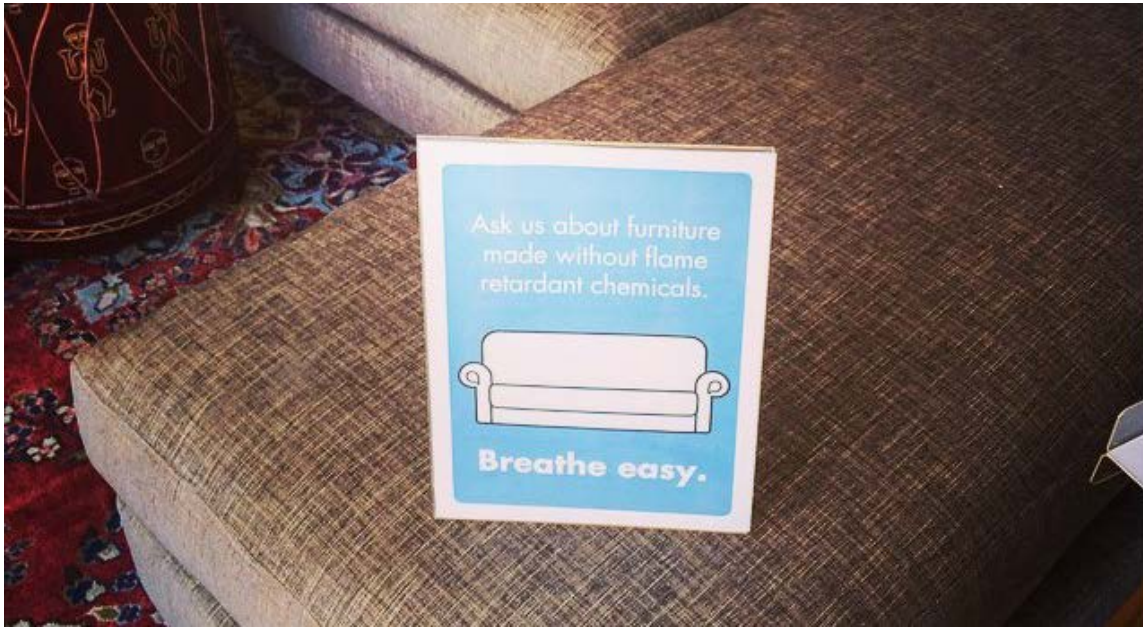
The State of California has updated the flammability standard and determined the fire safety requirements for this product can be met without adding flame retardant chemicals. The State has identified many flame retardant chemicals as being known to, or strongly suspected of, adversely impacting human health or development.



# Confusion in the Marketplace







**Breathe easy.**



**Safer couch, happy customer.**

Help your customers breathe easy by offering furniture without flame retardant chemicals.

*Get listed as a business offering furniture without flame-retardant chemicals.*

**SF Environment Breathe Easy Campaign**

# Retailers Committed to FR- Free

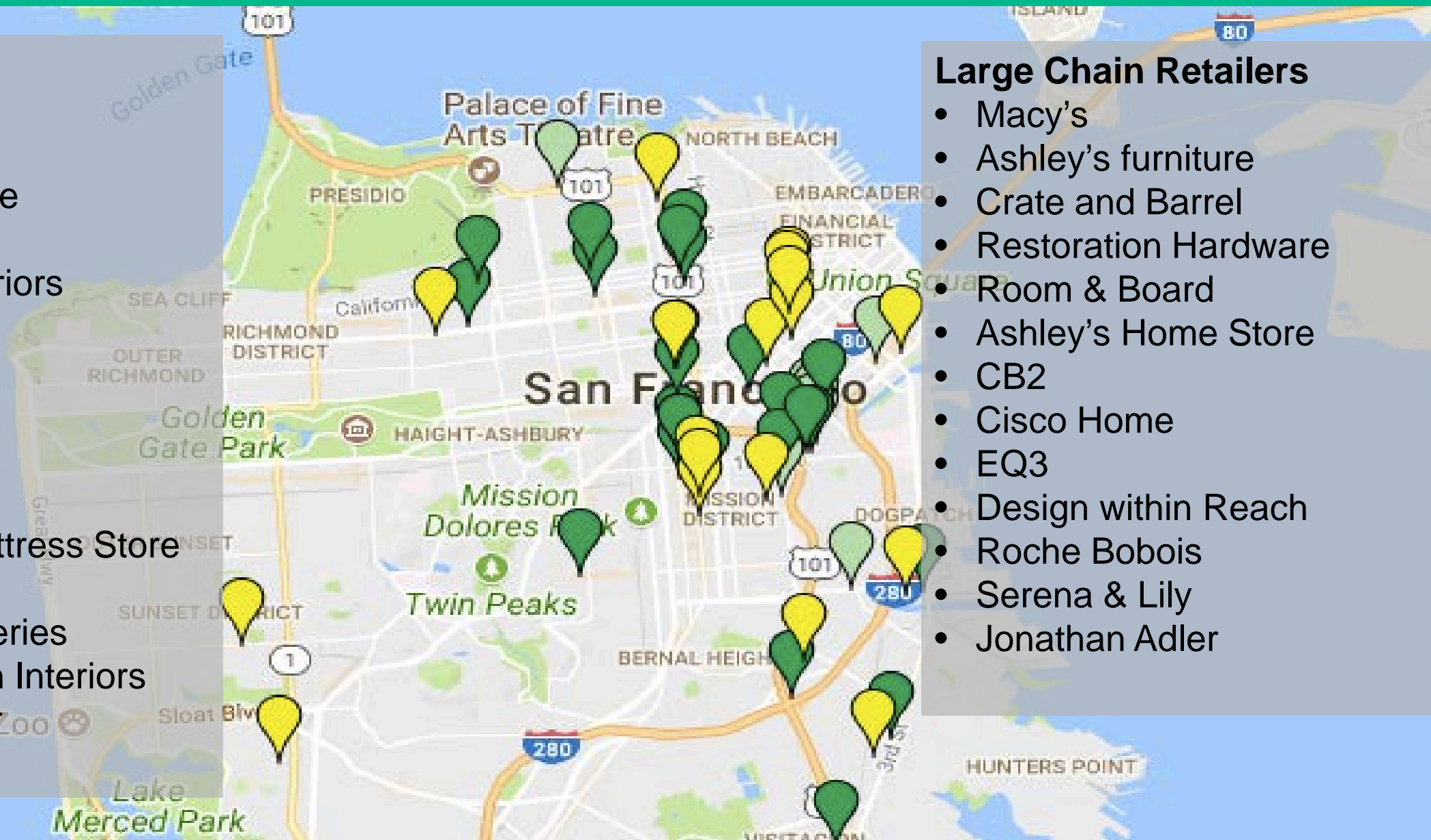


## Small Retailers

- Cozy Couch
- Cushion works
- Bedroom & More
- Farnsworth
- Franciscan Interiors
- Fully
- Just Futon SF
- Furniture Envy
- Sofa Creations
- Save my Seat
- The Natural Mattress Store
- Zozi's Loft
- Harrington Galleries
- Mscape Modern Interiors
- Hardesty Dwyer

## Large Chain Retailers

- Macy's
- Ashley's furniture
- Crate and Barrel
- Restoration Hardware
- Room & Board
- Ashley's Home Store
- CB2
- Cisco Home
- EQ3
- Design within Reach
- Roche Bobois
- Serena & Lily
- Jonathan Adler





# Supervisor Farrell's Flame Retardants Ban





# Stakeholder Meetings



# Addressing Concerns



- Cost
  - ✓ Market Survey shows no impact
- Statute of Limitations
  - ✓ Shortened from 4 years to 1 year
- Compliance Specified
  - ✓ Furniture tags
  - ✓ Juvenile product letters from manufactures

# Addressing Concerns



- Online sales
  - ✓ Ordinance includes all sales into SF
- Electronic furniture
  - ✓ Some manufacturers have eliminated FRs since 2014
  - ✓ Petition for waiver if can demonstrate FRs are necessary

# San Francisco is Not Alone



# Implementation Timeline



- Ordinance mailing in 4 languages to all retailers
- Retailer site visits to educate and provide technical assistance
- Financial hardship petitions
- Compliance date January 1, 2019



# Questions?

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# References

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# Enforcement Steps



1. Site visit reveals a violation
2. Warning issued, 30 days to correct violation
3. Return visit reveals violation not corrected
4. Citation may be issued
5. Department may issue administrative fine

*Duration, recurrence, seriousness, good faith efforts, injury to public/community taken into account.*

# Civil Action



- City Attorney may pursue civil action to compel compliance.
- A non-profit may pursue civil action ONLY if:
  - The City Attorney has declined to pursue civil action
  - AND the Department has not issued a determination of no violation.