



MEMORANDUM OF SUPPORT

TO: The New York State Senate
FROM: Toxic-Free Future and the Mind the Store campaign
RE: Support for S4630A
DATE: April 26, 2021

Toxic-Free Future and the Mind the Store campaign support NY Senate Bill S4630A.

The use of toxic organohalogen flame retardants (OFRs) in electronic enclosures, particularly in TVs, constitutes a large source of toxic pollution in our homes, workplaces, and environment and poses serious health threats that are entirely preventable.

Two reports that included testing of televisions for toxic flame retardants, [Toxic TV Binge](#) and [TV Reality](#), documented major brands containing significant concentrations of OFRs in the plastic enclosures.

Phasing out these harmful chemicals is a prudent measure and is supported by a growing number of regulatory and corporate actions in the U.S. and around the world.

These actions include the following:

- In 2019, the European Union (EU) [adopted an EU-wide ban](#) on all OFRs in electronic display enclosures, which has been driving the electronics sector.
- The Consumer Product Safety Commission (CPSC) voted in 2017 to begin a rulemaking process banning OFRs in electronics enclosures and [issued guidance](#) for manufacturers, retailers and consumers, especially those who are pregnant or with young children, to avoid these chemicals in electronics enclosures and other categories.
- The state of Washington, under its new [Safer Products for Washington law](#), has [recently proposed that toxic flame retardants, including OFRs in electronics casings](#), be considered for regulatory bans.
- All Sony television enclosures that are currently manufactured, sold, or distributed within North America do not contain intentionally added OFRs. (Communication to Toxic-Free Future and Mind the Store, 4/20/2020)
- Best Buy, one of the largest retailers of electronics in the U.S., published a restricted substance list for their televisions in January 2020, which includes several OFRs.

- Apple and HP have phased OFRs out of electronics. LG is also working to phase out OFRs starting in 2021 for Europe and beginning to consider a phase out for the U.S. (Communication to Toxic-Free Future and Mind the Store , 5/1/2020).
- Green certifications, such as [TCO Certified](#), include bans on organohalogens in television enclosures.

In addition to the regulatory and corporate momentum away from OFRs, safer alternatives have been identified by governments and certification bodies. For example:

- In 2009, the Washington State Department of Ecology [identified safer flame retardant alternatives in an assessment](#) that triggered a ban on one OFR, decabromodiphenyl ether (deca-BDE).
- In 2013, the New York Task Force on Flame Retardant Safety [issued a final report](#) finding safer alternatives to deca-BDE for electronic enclosures.
- TCO Certified identifies [accepted substances](#) that can be used to meet its criteria.
- In 2014, EPA issued a [final alternatives assessment for decaBDE](#), which was the largest-use flame retardant for electronics enclosures until it was banned by several states and the chemical industry agreed to voluntarily phase it out.

We urge the NY State Legislature to keep the momentum going and move companies more quickly to safer alternatives by adopting S4630A. This is an important bill to protect the health of people and the environment from this dangerous class of chemicals that can be substituted with safer options.

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TOXIC-FREE FUTURE

For more than 35 years, Toxic-Free Future has been working to end the use of harmful chemicals in products and toxic pollution using advanced research, education and policy advocacy. www.toxicfreefuture.org

MIND THE STORE CAMPAIGN

The national Mind the Store campaign challenges big retailers to eliminate toxic chemicals and replace them with safer alternatives. www.mindthestore.org and www.retailerreportcard.org