

August 31, 2016

Submitted online via CalSAFER

**Re: Safer Consumer Products Proposal to List Children’s Foam-Padded Sleeping Products containing TDCPP or TCEP as a Priority Product**



BizNGO supports the Department of Toxic Substance Control’s Proposal to List Children’s Foam-Padded Sleeping Products containing the flame retardant chemicals TDCPP or TCEP as a Priority Product for the Safer Consumer Products Program.

BizNGO is a unique collaboration of business, health care, environmental, academic, and government leaders working together to promote the creation, adoption and use of safer chemicals and sustainable materials. Over 90 businesses, environmental groups, and health care providers have endorsed the BizNGO Principles for Safer Chemicals. The Principles and signatories can be found at [www.bizngo.org](http://www.bizngo.org). The second of these principles is that manufacturers should “assess and avoid hazards.”

To assess and avoid hazards, the principle states that manufacturers will determine the hazard characteristics of chemical constituents and formulations in their products, use chemicals with inherently low hazard potential, prioritize chemicals of high concern for elimination, minimize exposure when hazards cannot be prevented, and redesign products and processes to avoid the use and/or generation of hazardous chemicals. Buyers will work with their suppliers to achieve this principle. “Chemicals of high concern” include substances that have the following properties: 1) persistent, bioaccumulative and toxic (PBT); 2) very persistent and very bioaccumulative (vPvB); 3) very persistent and toxic (vPT); 4) very bioaccumulative and toxic (vBT); 5) carcinogenic; 6) mutagenic; 7) reproductive or developmental toxicant; 8) endocrine disruptor; or 9) neurotoxicant. “Toxic” (T) includes both human toxicity and ecotoxicity.

BizNGO agrees that DTSC’s proposal meets California’s standards for listing a Priority Product:

- 1. Flame retardant chemicals have the potential to cause adverse health and environmental impacts.** Both TDCPP and TCEP are known to the State of California to cause cancer, and studies find that these chemicals have additional hazard traits of concern.
- 2. A large potential exists for widespread public exposure to TDCPP and TCEP, and children are a sensitive exposed subpopulation.** Flame retardant chemicals, including TDCPP and TCEP, are found in a wide variety of consumer products, including children’s sleeping products, and are routinely found in house dust. Sensitive sub-populations including young children are especially vulnerable.

One objective of the Safer Consumer Products program is for manufacturers to consider whether identified chemicals are necessary to achieve a product’s function. Flame retardant chemicals are not needed in children’s products. As the Department notes, flame retardant free foam is readily available. Requiring that safer alternatives be used will both level the playing field for manufacturers and protect human and environmental health.

We urge you to move forward with the listing as proposed. Do not hesitate to contact us with questions or if we can be a resource to you or your staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark S. Rossi".

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