

# LEARNING AND DEVELOPMENTAL DISABILITIES INITIATIVE

MAY 20, 2004

## **Polybrominated Diphenyl Ethers (PBDEs) Bill**

Introduced by Congresswomen Hilda L. Solis, Diana DeGette and Lynn Woolsey

### *Section-by-Section Summary*

## **H.R. \_\_\_\_\_**

To prohibit the manufacture, processing, or distribution in commerce of penta and octa polybrominated diphenyl ethers, and precursors and for other purposes.

### **Section 1. Findings**

- Recognizes the necessity of flame retardants to meet fire standards
- Notes that initial studies indicate that penta and octa BDEs disrupt thyroid hormone balance, cause learning disabilities and lowers intelligence in lab animals.
- Finds that PBDEs have increased 40-fold in breast milk since the 1970s.
- Finds that human breast milk is best for infants and should be protected from toxics.
- Notes that California and several countries have phased out Penta and Octa BDEs.
- Finds that products containing Penta, Octa or Deca BDEs should be labeled so that the scientific community can track where flame-retardants are being used.

### **Section 2. Prohibition**

- Amends Section 15 of the Toxic Substance Control Act (TSCA) to phase out the manufacturing, processing or distribution of Penta and Octa BDEs within 2 years of enactment.
- Provides for the EPA Administrator to direct a 3 year phase-out of other substances found to break down into penta and octa BDEs.

### **Section 3. Labeling Requirement**

- Directs industries that manufacture, process or distribute PBDEs to follow the International Standards Organization's (ISO) method for labeling products containing penta, octa or deca BDEs so that scientists can better track where certain PBDEs are found and can better study their environmental and health impact.
- Provides for the Administrator of the U.S. Environmental Protection Agency to direct the industry to follow ISO labeling updates unless found to be harmful to human health or the environment.