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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB 424**  
**Public Health – Products Containing a Flame-Retardant Chemical**

Good afternoon, Chairman Pendergrass, Vice Chairman Peña-Melnyk and honorable members of the committee. Thank you for this opportunity to present HB 424, **Public Health – Products Containing a Flame-Retardant Chemical – Prohibition on Import or Sale**. The purpose of this bill is simply to keep us—and those who work to save us in emergencies—safer in our homes. It does this by prohibiting the import or sale of furniture and juvenile products which contains 1-tenth of 1 per cent of a “flame-retardant” chemical. What makes this bill different from recent bills this committee has heard is that we are not now identifying specific chemicals, but rather the entire class of chemicals that are produced and added to these products with the belief that they will reduce harm—to person and property—from fire. The experience with these chemicals has not supported this belief. In fact, the evidence is that they cause more harm than do good.

We all want to keep our families safe and we trust in the research and innovation of our manufacturers to find ways to do that. However, sometimes over time we learn that more research is needed and we have to make adjustments when we find different results than we expected. That is the case with the flame-retardant chemicals—they actually make fires more dangerous because of the carcinogenic elements they bring into the home environment and expose our families to on a daily basis and because in a fire, fire fighters are particularly exposed and vulnerable to the negative effects of the chemicals. The danger from the fire to these brave men and women is bad enough; adding the hazardous effect of the chemicals is unconscionable.

In the case of these fire-retardant chemicals, it is requiring legislative action in order to change some business behaviors. The Federal Consumer Product Safety Commission has determined that the chemicals do not increase safety and recommends that manufacturers of furniture and children’s products stop including them. As a result of what we have learned, legislatures across the country, including California, Washington, Maine, Rhode Island, Minnesota and Alaska are taking action. Maryland should be included in this list of states committed to protecting its residents from these dangers.

The bill clearly defines “flame-retardant” chemicals, the types of products that could not be imported or sold in Maryland that contain the specified amounts, exclusions to the prohibitions and the penalties for violation. It identifies the role of the Department in developing regulations and it provides for a suspension of the law should the Secretary of Health determine that the benefits of the chemicals outweigh the dangers. The fiscal note reflects potentially meaningful impact on small businesses. We would like to amend the bill to exclude businesses of 14 employees or less to address that concern.

One of our primary roles in government is to keep our residents safe—and this bill is one way we can do that. We are proud to have the support of the Maryland Fire-EMS Coalition and Fire-fighters groups from across the state, as well as environmental organizations. Thank you very much for your consideration and we respectfully request a favorable report.