Co-Chairs Suzio, Moore, and Urban, and members of the Committee on Children, my name is Jay West, and I am here today representing the American Chemistry Council and its North American Flame Retardant Alliance.

Our member companies represent the cutting edge of fire-safety chemistry and technology, and are dedicated to improving fire safety performance in a myriad of end uses.

Our industry is also committed to strong chemical safety regulation while also protecting fire safety. This support for strong chemical safety includes:

- Support for the overwhelmingly bipartisan legislation enacted in 2016 at the federal level, the Lautenberg Chemical Safety Act. This legislation was signed into law by President Obama and fundamentally strengthens the federal regulation of chemical safety. I mention this because this is directly relevant for this bill and some of the issues I will raise in my testimony.

And

- Support for appropriate restrictions on a subset of flame retardants. Our industry has proactively phased out the production of certain flame retardants, and we support strong regulation of any remaining uses of those particular substances. Our companies have invested millions to develop new, innovative products that have an enhanced safety profile.

We are respectfully speaking in opposition to HB 5329.

1. **Fire safety, and in particular furniture fire safety, is a real issue. HB 5329, in its current form, could increase the risk of fire safety in the future for Connecticut’s, citizens and communities.**

   - Fire still represents a very real danger in the United States. Nationally, in 2016, there were over 1.3 million fires reported, with fire departments responding to a fire every 24 seconds on average. These fires caused nearly 4,000 civilian deaths, 14,650 civilian fire injuries, and $10.6 billion in property damage and loss.¹

   - According to the most recent data, in 2016 Connecticut had nearly 4,000 residential structural fires, resulting in more than $32.5 million in property damage and loss.¹
loss. In 2016, Connecticut lost 8 citizens to residential fires, and 88 civilian injuries due to residential fires were reported. ii

2. Fires affect our most vulnerable populations, including children.

- Fires and burns have been found to be the third leading cause of unintentional death among children 14 and under, iii and children under 5 have been found to have a 10% higher chance of dying in a home fire than the average person. iv

- And while not the remit of this committee, you should be aware that fire safety is also a critical issue for senior citizens. Older adults continue to experience a disproportionate share of fire deaths. In 2015, the U.S. fire Administrations (USFA) reported that while adults aged 65 or older represented only 15 percent of the United States population, they suffered 40 percent of all fire deaths. v

3. Furniture is a major source of fires and HB 5329 could increase the risk of fire safety for Connecticut’s citizens.

- Upholstered furniture can be a major contributor to fires. The U.S. Consumer Product Safety Commission estimates that there are, on average every year, 4,700 fires, 390 deaths, 660 injuries, and $238 million in property losses are attributed to incidents where upholstered furniture was the first item ignited. The Commission also says that these numbers are likely an underestimate. vi

- Fires starting with upholstered furniture caused approximately 17% of US home fire deaths between 2009 and 2013. In a 2011 report, the National Fire Protection Association (NFPA) found that only 6% of fires that started on upholstered furniture stayed on the furniture and that 68% of them spread beyond the room of origin. vii

- Upholstered furniture also can contribute to fires and fire losses, even when it is not the first item ignited. A recent analysis of NFPA’s statistics found “that one-quarter of upholstered furniture fires, civilian injuries, and direct damages, and one-fifth (21%) of associated civilian deaths are associated with fires in which upholstered furniture is the primary item contributing to fire or flame spread but not the item first ignited.” viii
• It is for these reasons that NFPA, the Consumer Product Safety Commission and others support strong furniture fire safety standards.

4. This legislation lumps together a huge range of substances (hundreds of substances) without any consideration of their actual safety or risk. This is not supported by the state of the science. Flame retardants include a broad range of products with differing characteristics, formulations and intended uses, so it is not appropriate to make broad conclusions or impose a one-size-fits-all regulatory approach for this wide range of substances.

• A variety of different chemicals, with different properties and structures, act as flame retardants. A variety of flame retardants is necessary because the materials that need to be made fire-resistant are very different in their physical nature and chemical composition, as are the end-use performance requirements of the final product.

• The hazard and risk profile of various flame retardant compounds is very different. It is scientifically incorrect and, may I say respectfully, bad public policy, to apply the same profile for all and this has been repeatedly recognized by government regulators.

5. Flame retardants are reviewed for their safety by regulators around the world, and this legislation would ban substances that government regulators have determined do not present a risk as well as new, innovative substances developed in the future that are approved by regulators for their intended use.

• This legislation would restrict a broad range of substances, including substances that government authorities have determined do not present a significant risk to human health or the environment.

• A good example of this is the fact that as part of its updated assessments of a broad range of flame retardants, US EPA has identified over 50 flame retardants that it says are unlikely to pose a risk to human health.\textsuperscript{ix}

• This legislation would also restrict all new halogenated flame retardant chemicals, including those not developed yet. Our industry has invested millions of dollars to develop new technologies that improve fire protection
and have an enhanced environmental, health and safety profile, and these new products would also be banned.

- It is unclear why Connecticut would want to prevent the development and use of new, innovative and sustainable products. Does Connecticut really want to remove forever and always the possibility of using technologies that could help save lives and property from fire?

- HB 5329 would remove the possibility for furniture manufacturers and product designers to use products in the R&D pipeline that have not yet come to market and could be essential to helping meet future fire safety standards that are currently under development by the US Consumer Product Safety Commission and National Fire Protection Association.

That concludes my remarks. Thank you for the opportunity to testify before you today.

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8 For more information on the program, see http://www2.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-work-plan-chemicals.