

To: Retailers of upholstered residential furniture
Retailers of products for children under 12 years

From: Minnesota Pollution Control Agency
Minnesota Department of Health
Minnesota Department of Commerce

Subject: Opportunity: Testing products for regulated flame-retardants

Date: October 15, 2018

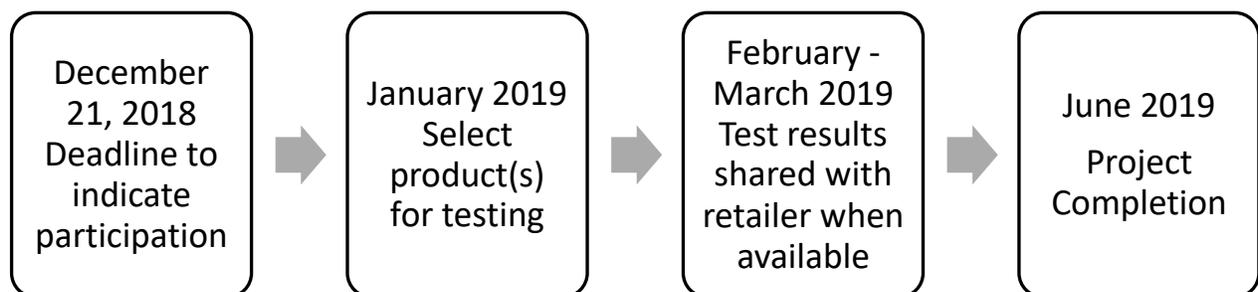
Limited opportunity for retailers

The Minnesota Chemicals in Products Interagency Team (CPI Team) is inviting Minnesota retailers to take advantage of a limited opportunity for free product testing to check for regulated flame-retardants. The CPI Team is offering assistance with testing a selection of your products for levels of restricted flame-retardants in advance of a July 1, 2019 deadline that those flame-retardants be under 1,000 parts per million in furniture and children's products sold by retailers in Minnesota (see [Minnesota Statutes §325F.071](#)). This is an opportunity to review your supply chain, ensure compliance, and protect your customers.

The CPI Team will work with retailers to identify products that are subject to Minnesota Statutes §325F.071. Retailers provide product(s) for testing and the CPI Team will cover the full cost of laboratory fees for a certain number of products. Test results will help inform retailers whether their products are or are not in compliance.

The CPI Team has funding constraints, so we encourage you to contact us as soon as possible if interested.

Timeline for product testing



If products are found to be non-compliant, the CPI Team will help retailers identify and educate the responsible manufacturers and wholesalers.

Background

As of July 1, 2018, manufacturers and wholesalers cannot make or sell products in Minnesota for children under 12 or upholstered residential furniture which exceed limits on four flame retardants ([Minnesota Statutes §325F.071](#)). Retailers selling to Minnesota customers will be subject to the same requirements on July 1, 2019.

The four flame retardants restricted in [Minnesota Statute §325F.071](#):

1. Tris (1,3-dichloro-2-propyl)phosphate (TDCPP, Chemical Abstracts Service #13674-87-8);
2. Decabromodiphenyl ether (deca-BDE, CAS #1163-19-5);
3. Hexabromocyclododecane (HBCD, CAS #25637-99-4); and
4. Tris (2-chloroethyl) phosphate (TCEP, CAS #115-96-8).

Legislation was passed in 2015 to restrict these four flame-retardants in order to protect the health of children and firefighters, who have a greater exposure to flame-retardants than the general population. Children are particularly susceptible to the effects of flame-retardants because of their growing, developing bodies. Reducing the amount of these flame-retardants in children's products and residential furniture will help reduce children and firefighters' exposure to these chemicals in the dust and air. For more information about this issue, see the [2016 Flame-Retardants and Firefighter Exposure and Health](#) report.

The CPI Team is open to discussing with retailers the opportunity to test for additional flame retardants not outlined in statute with a focus on those flame retardants used as substitutes for restricted flame retardants.

Common products that may contain flame-retardants:

Children's clothing and sleepwear



Polyurethane and other cushioning foams in residential furniture cushions, baby changing pads, play mats, and children's car seats and chair padding



*Fabrics used to upholster
residential furniture*



Baby slings and nursing pillows



What do retailers gain from participating?

- Cost savings
 - Obtain test results for selected products at no cost
- Business leadership in promoting safer consumer products
 - Help verify compliance of some products by July 1, 2019
 - Learn more about your supply chain
 - Stand out among retailers
 - Join the growing green and sustainable business movement
 - Opportunity to learn one-on-one about the issue of chemicals in products
- Customer appreciation
 - Demonstrate you are a leader in safer products and care about customers' health and our environment
 - Generate positive word-of-mouth from customers to potential, future customers ("protect your brand")
- CPI Team Certification
 - If interested, the CPI Team will prepare a press release stating that your retail business took proactive steps to ensure you are selling safer consumer products

I want to learn more and/or participate

For more information on the testing process, timeline or general questions, please contact:

Michelle Gin
Toxic Free Kids Communications Planner
Minnesota Department of Health
651-201-4825
michelle.gin@state.mn.us

Thank you for your work and commitment to protecting Minnesotans and their environment.



Kirk Koudelka
Assistant Commissioner
Minnesota Pollution Control Agency



Paul Allwood
Assistant Commissioner
Minnesota Department of Health



Martin Fleischhacker
Assistant Commissioner
Minnesota Department of Commerce