

Opinion: Sitting Safely and Comfortably in California

Capitol Weekly Op-ed

By Arlene Blum | 05/05/11 12:00 AM PST

As a chemist, mother, and Californian, I was dismayed when an East Coast scientific colleague said, "I try to avoid furniture and other products with a California tag because they're full of toxic chemicals".

The tag he was concerned about is found on all furniture and baby products containing foam sold in our state and indicates compliance with a unique California flammability standard called Technical Bulletin 117 (TB117). Products with such a label are likely to contain toxic flame retardant chemicals.

I know this only too well as three years ago I reluctantly discarded my own very comfy blue couch and chair after learning the foam inside contained high levels of a chemical associated with reduced IQ in children, reduced fertility, thyroid problems, endocrine disruption and cancer. Since then I have not had the choice to buy new furniture that is both comfortable and non-toxic for use in California.

Such flame retardants leak out from our furniture, settle in dust, and are ingested into our bodies. A recent UC Berkeley study found that California children have seven times higher amounts of these chemicals in their bodies than do children in Mexico.

To protect our children, state Sen. Mark Leno is sponsoring SBI 147, the Consumer Choice Fire Safety Act, which calls for an alternative furniture standard that maintains fire safety and can be met without flame retardants. This would mean that I and other consumers could choose to buy furniture that is both fire-safe and non-toxic.

However, at April 25 and May 2 Senate Business and Professions Committee hearings, Curren Price, Bill Emmerson, Lou Correa, Ed Hernandez, Gloria Negrete McLeod, Juan Vargas, Mimi Walters, and Mark Wyland, eight Senators charged with protecting consumers and supporting business, voted "No" to the Leno bill. They appeared to ignore the statement in Leno bill that fire safety cannot be compromised with a new alternative standard and to be heavily influenced by descriptions of burned children from the sole three opposition witnesses, all brought in by the flame retardant chemical industry.

On the Leno side, the support and testimony from more than twenty California fire fighters, physicians, UC scientists, furniture and foam manufacturers, health officers, the College of Obstetricians and Gynecologists, and citizens groups representing many thousands of Californians did not appear to have influence with these eight Senators.

And, outrageously, the fire safety benefits of adding flame retardants to meet the 1975 flammability standard we follow, are questionable. According to Vyto Babrauskas, the author of the only textbook ever written on furniture flammability, TB117 is "so weak that it does not achieve any useful fire safety purpose. A changed standard should be more effective, as it could not possibly be any less effective."

TB117 tests bare foam's resistance to a small flame. But the foam in furniture lies beneath a layer of fabric. The fabric will ignite first and by the time the flame reaches the foam, it is too large for the chemicals that meet TB117 to have an effect.

According to the furniture industry, the TB117 flammability standard is a financial burden for manufacturers who must make special lines for California. This furniture cannot be sold in some European countries due to its toxicity. Moreover, the flame retardant chemicals add to the cost of the furniture while decreasing its durability.

So why can't this antiquated flammability standard be updated? The three flame-retardant producers: Albermarle, Chemtura, and Israeli Chemicals Limited, have a history of responding to California legislation for fire safety without toxicity with multi-million dollar lobbying campaigns.

"Opposition to SB147 was created by the same political operative who once worked at the Tobacco Institute." said Andrew McGuire, a McArthur awardee who was badly burned as a child and is Executive Director of the Trauma Foundation at San Francisco General Hospital. "Our legislators need to do a better job of watching out for the interests of their real constituents."

My good news is that since I got rid of my furniture, the level of toxic flame retardant in my dust has decreased by a factor of thirty. My bad news is there is no comfortable place to sit in my house as I cannot replace my discarded couch and chair with non-toxic ones. This will continue for yet another year due to the choice of eight California senators to listen to the flame retardant industry over the interests of California business and consumers.

Fortunately SB147 is a now two-year bill. Given Californian's increasing anger and concern at being forced to be exposed to toxic chemicals in their furniture, I am optimistic that next year SB147 will pass and manufacturers will no longer be forced to put dangerous and ineffective flame retardant chemicals into their products. "Made for California" will not be a euphemism for "Warning! Toxic Product!" And we will all be able to sit more safely and comfortably on our couches.