
MEDIA RELEASE

For Immediate Release

February 16, 2007

Groups demand ban on all forms of toxic fire-retardant PBDE

Legal complaint highlights gaping loopholes in proposed regulations

TORONTO – Environmental groups filed a formal legal objection this week calling for the federal government to ban all brominated flame-retardants, a group of chemical known as Polybrominated Diphenyl Ethers (PBDEs). The government's recently proposed regulations for PBDEs fail to include the chemical's most prevalent form, decaBDE, which is used in home electronics, textiles and furniture and is commonly found in household and office dust.

PBDEs are a highly toxic persistent group of chemicals linked to serious human health impacts and are known to be bioaccumulating in animals, including humans. The developing fetus and breastfeeding infants are likely at greatest risk. Sierra Legal filed the Notice of Objection on behalf of the David Suzuki Foundation and Canadian Environmental Law Association. The groups' objection is based on the fact that all PBDEs, including decaBDE, meet the requirements for virtual elimination and therefore must be banned under Canadian law.

"Canada's proposed regulation for toxic PBDEs is outrageously weak and needs to be revised," said Sierra Legal Senior Scientist Dr. Elaine MacDonald "The science they are using is outdated and the regulation fails to even deal with the most common form of this nasty chemical."

The Notice was filed under the Canadian Environmental Protection Act and calls for the establishment of a Board of Review to clarify the significant emerging and complex scientific issues regarding PBDEs. It highlights that the proposed regulations would fail to restrict the use of decaBDE, a form of PBDEs that accounts for 80% of all use in North America, Asia, and Europe.

"Humans are being insidiously exposed to PBDEs through the food we eat and the dust in our homes," said Lisa Gue, environmental health policy analyst with the David Suzuki Foundation. "New studies have shown that very high levels of PBDEs are showing up in the food chain, including in human breast milk and in children."

PBDEs are toxic, persistent, bioaccumulative pollutants that are used as flame-retardants in common household items such as furniture, electronics and carpets. They are carcinogenic and known to be toxic to development, including the developing brain, immune, reproductive and hormonal systems.

The federal government listed PDBEs as Toxic under CEPA in December 2006 and proposed regulations shortly thereafter. Although the regulations place a ban on manufacturing of PBDEs, no PBDEs are manufactured in Canada. The regulations also ban the use, sale, and import of two commercial PBDE mixtures, however these mixtures have already been phased out of use voluntarily. Several US states are considering legislation to ban all forms of PBDE, including decaBDE. A comprehensive ban is already in place in Sweden.

"The Harper Government prides itself on taking real action to protect Canadians from toxic chemicals that are increasingly making their way into our daily lives," said Kathleen Cooper, Senior Researcher with the Canadian Environmental Law Association. " But, by not comprehensively banning all PBDEs, notably the decaBDEs, the Harper government is regulating the status quo, essentially avoiding the most serious aspects of this problem and giving the Canadian public a mistaken impression of action."

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