



December 2020

Dear Governor Baker:

In May of 2019 our organization sent representatives to testify before the House in order to express our support for ***An Act to Protect Children, Families, and Firefighters from Toxic Flame Retardants***. Now that the House and Senate have passed this bill for your signature again, we are writing to add our voices to the chorus in the hope that you will make this bill into law. Our organization, Built Environment Plus, formerly known as the US Green Building Council Massachusetts Chapter, represents a broad coalition of architects, contractors, manufacturers, and institutional owners in the state. Our collective desire to remove toxic chemicals from our buildings, and society at large, has only increased since the events of this past spring. It is critical to protect public health, particularly the most vulnerable communities, and recognizes that businesses around the globe are already meeting criteria for removal of harmful flame retardants.

In our 2019 testimony, we explained why members of our community are concerned: *“Americans spend 90% of our time indoors, and toxic dust from flame retardants is prevalent throughout our indoor environments. We must ask, “What is in our products—are they safe?” Underneath the very chairs that we are sitting on, likely we would find labels indicating these products meet flammability standards. Unfortunately, when we sit on chairs, or in rooms with electronics, curtains and drapes, we are exposed to flame retardants and other chemicals as these products break down and we ingest the dust.”* We added that babies and toddlers bear the brunt of this burden, as their bodies are smaller relative to the chemical exposure.

But there’s a solution: right now, when our projects, and procurement teams at Partners Healthcare, Blue Cross Blue Shield, Harvard, and others eliminate toxic chemicals in our specifications and purchases, we send manufacturers a signal about what we want, and they’ve responded! In this way, we are beginning to address the harm done to those workers who add flame retardants to the chairs we sit in, and the toxic burden to communities—typically disadvantaged communities—that are exposed to them throughout their life cycle. **This legislation ensures that all manufacturers participate, so that more communities benefit.**



In vetoing the predecessor bill, you expressed concern that poor people could face increased costs for obtaining essentials like baby car seats free of flame retardants. **But the cost of allowing flame retardants is far higher than a dollars-worth, and it should not be the case that our policies allow for those who have the means to avoid harm, and those without the means to suffer the consequences.** Doing so is not only unjust but has lasting implications.

In research reported by New York University last winter in the journal *Molecular and Cellular Endocrinology*, and covered in an article in the *Business Insider*, results showed that flame retardants contributed to a loss of 162 million IQ points among children from 2001-2016.^[1] One of the doctors quoted in the study called flame retardants a “hit and run” chemical because the damage can be sudden and is irreversible. Like previous generations who worried of lead and mercury exposure, flame retardants and pesticides may be this generation’s toxic challenge, with no safe level of exposure. The researchers make the point that the economic cost of childhood brain damage due to chemical exposure is real, noting that each individual IQ point is worth roughly 2% of a child’s lifetime economic productivity, and that collectively this loss across society could amount to trillions of dollars. And these are just the kids!

In consideration of the ongoing pandemic, we also want to note that flame retardants are a class of chemicals that can impact our endocrine system, masquerading as hormones that can increase the diseases that cause the underlying conditions that result in the susceptibility to COVID-19. They also can cause immunosuppression, with increases our vulnerability to infections.^[2] While this understanding of the insidiousness of toxic chemicals has informed our work for some time, the relationship to COVID only underscores imperative to change what the market offers and compels us to advocate to you to pass this bill.

There are just over a dozen states regulating toxic flame retardants to date, with Maryland gaining attention this summer for joining that cohort. A New York bill (S8214) is also under consideration and takes the additional step of eliminating organohalogen flame retardant chemicals in electronic display casings and stands (following the lead of EU regulations that will take effect in March 2021, impacting US manufacturers who export to that market). By passing this bill, you will demonstrate your commitment to addressing the impact of toxic flame retardants on all citizens and will join a cohort of New England States like ME, NH, RI and VT that have already done so.



Please see the attached letter that was shared in the summer of 2019, as there's information specific to the impact of the building sector on chemicals of concern. If it would be useful, representatives of our group would be happy to meet with you or your staff.

Thank you for your leadership on this critical topic.

Sincerely,

Two handwritten signatures in black ink. The signature on the left is for Meredith Elbaum, and the signature on the right is for Barbra Batshalom.

Meredith Elbaum, Executive Director, Built Environment Plus
Barbra Batshalom, Board Chair

[1] Bendix, Aria. "Exposure to flame retardants is causing US kids to lose millions of IQ points. They're more damaging than lead or mercury." January 14, 2020. <https://www.businessinsider.com/flame-retardant-children-iq-brain-damage-2020-1>. Accessed on September 15, 2020.

[2] Birnbaum, Linda S. and Jerrold J. Heindel. Endocrine-disrupting Chemicals Weaken Us in our COVID-19 Battle. Environmental Health News. <https://www.ehn.org/chemical-exposure-coronavirus-2645785581.html>. Accessed on July 15, 2020