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| **From:** | 周政懋 |
| **To:** | ECY RE HWTR SaferProductsWA |
| **Cc:** | tianh@cheari.com; 18601290919@vip.163.com; antimonychina@163.com |
| **Subject:** | RE: Draft Regulatory Determinations Report to the Legislature: Safer Products for Washington - Implementation Phase 3 (November 2021, Publication 21-04-047) |
| **Date:** | Thursday, January 20, 2022 10:36:49 PM |



Dear Washington State Department of Ecology,

We extend our sincere greetings to you on behalf of four organizations including China Association of Flame Retardant Materials (CAFRM), China Household Electric Appliance Research Institute (CHEARI), China Video Industry Association (CVIA) and China Nonferrous Metal Industry Association Antimony Branch (CNMIAAB).

As we learn, you propose to restrict all organohalogen flame retardants (OFRs) in a broad range of electronic and electrical equipment in the Draft Regulatory Determinations Report to the Legislature released in November 2021. We are writing to provide feedback on the draft regulatory determinations proposed under the Safer Products for Washington related to the regulation of electronics and electrical equipment.

1. We cannot agree more with the point of view of US National Academies of Sciences, Engineering and Medicine (NASEM), who released a study report in 2019, pointing out that OFRs used in consumer products cannot be made hazardous assessment as a single group; instead they should be sorted into 14 subgroups based on chemical structure, physicochemical properties, and predicted biologic activity. OFRs should be assessed not only in hazard but also in technical feasibility of alternatives as well as impacts on the industry. Thus, currently it is not desirable to conduct “one size fits all” control over OFRs.

2. Restricting the use of OFRs is aimed to achieve “Safer Products”. Although in some instances there might be alternatives to some sub-groups of OFRs for use in electronic device casings, substitutes are not always available. If product manufacturers are forced to use alternatives not well proven, it will undermine fireproof performance of the products and jeopardize consumers’ life and property. Further, most of the alternatives may fail to make products safer for they are not vigorously assessed in health and environment risks.

3. Consumer products are related to every resident in Washington State. If the proposal is signed under "immature" conditions, it will greatly impact the purchase of consumer products by Washington State residents. Not only will it increase the cost of purchase, but even no compliant product can enter the Washington State’s market. This is contradictory to the original propose for formulating the regulation.

4. From the perspective of circular economy, the plastics with OFRs actually has its unique advantage in recycling and carbon footprint given consideration to its comparatively high thermal stability.

We wish you give full consideration of our comments. Should there be any questions, please do not hesitate to contact us.

Regards,

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Chinese version below：

尊敬的华盛顿州生态厅：

我们四家单位向贵厅致以诚挚的问候！

我们是中国石油和化学工业联合会阻燃材料专业委员会（CAFRM），中国家用电器研究院（CHEARI），中国电子视像行业协会(CEVIA)和中国有色金属工业协会锑业分会(CNMIAAB)。

据悉，贵厅在去年11月发布的《致立法机构法规决议草案》中提议限制电子电器塑料外壳中有机卤系阻燃剂（OFRs）的使用。对此我们反馈几点意见供贵厅参考。

（1） 我们非常认同美国国家科学院（NASEM）的观点。该机构在2019年发布研究报告中提出，消费品中使用的OFR不能作为一个单一类别进行危害评估，而应该根据化学结构，物理化学特性和预期生物活性分为14个子类，不仅进行危害评估，还要评估替代技术可行性和对产业的影响。因此，现阶段不能对OFR实现“一刀切”管理。

（2） 限制OFR使用的目标是获得“更安全的产品”，在某些情况下，电子设备塑料外壳中的某些OFR子类可能有替代品，但替代品并不能用于所有场合。如果电子电器制造商被迫采用不成熟的无卤替代品，可能降低阻燃水平，从而放大火灾风险，威胁消费者的生命和财产安全。而且多数替代品并未经过严格的健康和环境风险评估，可能不会使产品更加安全。

（3） 消费品涉及华盛顿州每个居民。如果该草案在“不成熟”的条件下推出，将大大影响华盛顿州居民对消费品的购买，不仅是提高购买成本，甚至无符合法规要求的产品进入华盛顿州的市场，这也与制定法规

的初衷相悖。

（4） 从循环经济的角度而言，含OFR的塑料因为热稳定性相对其他阻燃剂较高，所以在回收和碳足迹方面享有独特优势。

希望贵厅充分考虑我们的意见。

如有任何疑问，欢迎与我们联系。

此致敬礼！

周政懋秘书长

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