

China Association of Flame Retarded Materials

We suggest removing the restriction and reporting requirements for the use of organohalogen flame retardants(OFRs) in the casings and enclosures of EEE products for the following reasons:

1. Taking control of OFRs as a whole family is not in line with the suggestion from 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 indoor EEE casings, substitutes are not always available. If product manufacturers are forced to use alternatives not well proven, it will undermine fireproof performance of the indoor EEE 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. 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.
4. Regulatory proposal should be narrowed: the Department should narrow the scope of the proposed rule by 1) specifying individual finished electronic and electrical products that it plans to regulate and 2) specifying individual OFRs by CAS Registry Number that it plans to regulate. This information is needed to alleviate confusion and avoid potential supply chain disruptions that could harm availability of some electronic and electrical products available for purchase in Washington State.