

S.4630-A (Kaminsky) / A.5418 (Englebright)

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<p>BILL</p> <p>S.4630-A (Kaminsky) / A.5418 (Englebright)</p>
<p>SUBJECT</p> <p>Regulation of Chemicals in Upholstered Furniture, Mattresses and Electronic Enclosures</p>
<p>DATE</p> <p>April 27, 2021</p>
<p>OPPOSE</p>

The Business Council opposes S.4630-A (Kaminsky) / A.5418 (Englebright), which prohibits the use of a large variety of flame retardant chemicals in mattresses, upholstered furniture, or electronic displays .The legislation would result in the elimination of fire protection for electronics, electrical devices, and furnishings. By eliminating this critical element of fire safety, which prevents or slows the growth of fire, it reduces the ability to minimize fire damage and provide protection essential to the safety of those inside of a dwelling.

This bill not only effects product safety by impacting the real threat that accompanies a fire, but it also handicaps several New York businesses. Manufacturers and small businesses, including retailers would feel its impact since it bans flame retardants in products that are used in residential spaces. This includes products that are routinely used in a home including computers, gaming systems, mattresses, microwaves, and phones. Consequences of such a broad bill is that it will reduce choices for consumers at a time when most are spending more time in their home because of the pandemic and increase costs.

For example, a flame retardant alternative that is more expensive or requires more of it to meet fire safety standards will increase material costs. In this case, a foam manufacturer will pass on the cost to their consumer which is the furniture manufacturer who will then pass it on to consumers.

Flame retardants are subject to intense examination by the U.S. Environmental Protection Agency (EPA) and all new flame retardant chemicals must be reviewed by them. It has the authority to limit or even prohibit a chemical’s use if a determination is made that it presents an unreasonable risk of injury to a person’s health or the environment. Currently, numerous substances that are included in this legislation are also being reviewed by the EPA and the Consumer Product Safety Commission (CPSC). The bill should not move forward while those

substances are examined by those agencies. Best practices are not achieved when shared responsibilities that exist under environmental laws contradict each other.

During a time of continued challenges to our business sectors, the state legislature should consider policy that will stabilize our business climate. The chemical and associated products industry is one of New York's largest manufacturing sectors and consideration of these factors should be considered before such action is taken. Chemistry has been a major contributor in the reduction of home fires and flame retardants have provided valuable escape time in these incidents. With more time being spent in residential spaces, these factors should be considered before any action is taken.

For these reasons, The Business Council opposes S.4630-A (Kaminsky) / A.5418 (Englebright).