

# THERE ARE NEW REGULATIONS ON FLAME RETARDANT CONTROL. ARE YOUR PRODUCTS COMPLIANT?

Flame retardants are a class of chemicals that can be added to plastics, textiles, building insulation, upholstered furniture and children's products to help reduce fires and enhance the fire performance of products. However, some flame retardants have strong developmental toxicity, endocrine disruption, reproductive toxicity and other hazards to the human body.

At present, in addition to the well-known regulations such as RoHS and POPs, other regions in the world have also issued control requirements for flame retardants. Obviously, the control of flame retardants has become a global trend.

Recently, the Governor of New York State signed Bills S4630B and S7737 to approve and amend the Home and Firefighter Protection Act to restrict the use of certain flame retardants in upholstered furniture, mattresses and electronic enclosures.



**The main control requirements are as follows**

control object	control requirements	controlled substances	effective time
Enclosures or stands in electronic displays	no person shall sell or offer for sale in the state of New York any electronic display that contains, in the enclosure or stand of such electronic display, any organohalogen flame retardant chemical, individually or in combination, that is any of the following: At or above levels set by the department in regulation; or Intentionally added.	organohalogen flame retardant chemical	December 1, 2024
	Manufacturers may not sell in the state unless they have submitted an annual report describing all organohalogen flame retardant chemicals used in their products in a form determined by the department.		December 31, 2022
any new, not previously owned, upholstered furniture or mattress	no person shall sell or offer for sale in the state of New York any new, not previously owned, upholstered furniture or mattress, that contains, or a constituent component of which contains, any covered flame retardant chemical, individually or in combination, that is any of the following: At or above levels set by the department in regulation; or Intentionally added.	flame retardant chemical	December 1, 2024
repair, reupholster, recover, restore, or renew upholstered furniture or reupholstered furniture	a custom upholsterer in the state of New York shall not repair, reupholster, recover, restore, or renew upholstered furniture or reupholstered furniture using replacement components that contain any covered flame retardant chemical, individually or in combination, that is any of the following: At or above levels set by the department in regulation; or Intentionally added.		December 1, 2025

Notice: No person that sells covered products shall be held in violation of this title if they can show that they relied in good faith on the written assurance of the manufacturer that such covered products met the requirements of this title. Such written assurance shall take the form of a certificate of compliance stating that such covered product is in compliance with the requirements of this title, provided however, where compliance is achieved under an exemption provided in section 37-1005 of this title, the certificate shall state the specific basis upon which the exemption is claimed. The certificate of compliance shall be signed by an authorized official of the manufacturer.

**Violation penalty**

Any person who violates any of the provisions of or who fails to perform any duty imposed by sections 37-1003 and 37-1007 of this chapter or any rule or regulation promulgated pursuant hereto, shall be liable for a civil penalty not to exceed one thousand dollars for each day during which such violation continues, and in addition thereto, such person may be enjoined from continuing such violation. Such person shall for a second violation be liable to the people of the state for a civil penalty not to exceed two thousand five hundred dollars for each day during which such violation continues.

**MORE INFORMATION**

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**Control of flame retardants in some major regions of the United States (part)**

Combined with the current hazards and uses of flame retardants, many states in the United States have introduced bills to restrict the use of flame retardants.

Area	Act	Substance	Scope of control	Limit requirements
California	AB 2998	Flame Retardant means any chemical or compound that contains a flame retardant in accordance with 29 CFR, Section 1910.1200(g)(2015), Material Safety Data Sheet (SDS) and Washington State Department of Ecology (DOE) Implementation of High Concern Chemicals in the Children's Chemicals (CHCC) list and identified as flame retardants or synergists of flame retardants, halogen-based, phosphorus-based, nitrogen-based flame retardants, and nano-fire retardants	Juvenile products, mattresses or upholstered furniture	each content does not exceed 1000ppm
Hawaii	HB2013	Pentabromodiphenyl ether, octabromobiphenyl oxide	Flame retardant parts of products and products	not higher than 0.1%
Illinois	HB 2572	Pentabromodiphenyl ether, octabromobiphenyl oxide	Flame retardant parts of products and products	not higher than 0.1%
Maine	H.P.138 - L.D. 182	Flame retardant chemicals include, but are not limited to, halogenated, phosphorus-containing, nitrogen-based, and nano-based flame retardants and any flame retardants that are included in the Material Safety Data Sheet (SDS) per 29CFR, Section 1910.1200(g)(2015), chemical or compound	Residential Upholstered Furniture	not higher than 1000ppm
Michigan	HB 4406	Pentabromodiphenyl ether	product	not higher than 0.1%
Minnesota	SF 321	Halogenated, phosphorus-based, nitrogen-based and nanoscale flame retardants	Children's products, mattresses, residential or commercial textiles and upholstered furniture	each content does not exceed 1000ppm
Rhode Island	H 5119	Organohalogen flame retardants (chlorine and bromine)	Home Upholstered Bedding or Furniture	each content does not exceed 1000ppm
Massachusetts	H 4900	TDCPP, TCEP, antimony trioxide, HBCD, TBPH, TBB, chlorinated paraffin, TCPP, pentabromodiphenyl ether, octabromodiphenyl ether, TBBPA (11 kinds in total)	Bedding, Carpets, Children's Products, Upholstered Household Furniture, Curtains	each content does not exceed 1000ppm
New Hampshire	SB 193	flame retardant	Carpets and Upholstered Furniture	each content does not exceed 1000ppm

**CTI Recommendations**

In recent years, more and more regions around the world have begun to control flame retardants, especially in the household, children's products, electronic and electrical industries, and the control of flame retardants has become more and more strict. For example, Sony, Apple and other companies have formulated their own flame retardant control requirements. Relevant enterprises need to attach great importance to the control trend of flame retardants and be familiar with the specific control requirements of flame retardants to ensure product compliance and avoid violations.

**CTI Services**

- Flame Retardant Testing
- Regulatory consultation and explanation
- Assist manufacturers in internal training

**MORE INFORMATION**

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