

2 April 2008

Norway proceeds on isolated path regarding Deca-BDE

On 1 April 2008, a unilateral Norwegian ban of the brominated flame retardant Deca-BDE took effect. The ban covers the production, import, export, use and the placing on the market of Deca-BDE as well as preparations and products containing 0.1 % by weight of Deca-BDE used in textiles, furniture and insulation. Applications in the transport sector are not covered by the new rules.

This unilateral action was taken by the Norwegian Government despite EU chemicals legislation, also applicable in Norway on the basis of the European Economic Area Agreement, namely:

- an EU risk assessment, completed in 2004, which concluded no need for restrictions on the use of Deca-BDE, and which does not identify a significant risk to health and environment. These conclusions were confirmed by member states authorities in December 2007, also taking into account recent scientific data,
- the principles of the REACH legislation, which bases its decisions on sound scientific data.

The proposed ban of Deca-BDE by Norway was opposed by the European Commission, the EFTA Surveillance Authority, a number of WTO partners as well as Norwegian and European industry, who all requested Norway to follow EU procedures and decisions rather than taking a unilateral national measure creating separate rules for Norway towards the rest of Europe.

“Industry objects to this dismissal of EU science and calls on the European Commission, EFTA and the WTO to take urgent action to ensure that Norwegian law respects EU and international legal obligations” said Veronique Steukers, chair of the European Brominated Flame Retardant Industry Panel (EBFRIP), following the announcement of the ban. “Deca-BDE is one of the most tested chemicals on the market and it has been found safe for continued use by an EU risk assessment.”