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## **Norway's plan to ban Deca-BDE is scientifically unjustified and unlawful**

EBFRIP challenges Norway's announcement that it plans a partial<sup>1</sup> ban on Deca-BDE<sup>2</sup>, despite a 10-year EU scientific assessment concluding last May<sup>3</sup> that no risk was identified for the environment or human health<sup>4</sup> from this substance.

This proposed partial ban would not only ignore the EU scientific conclusions but it would also conflict internal market rules with the EU and the other European Free Trade Area (EFTA) countries. EBFRIP is confident that EFTA would therefore oppose this proposed ban if notified.

EBFRIP is also concerned that this intended restriction would undermine the new EU chemicals legislation REACH<sup>5</sup> whose fundamental purpose is to ensure that scientific testing is the precursor to political action.

EBFRIP shares Norway's objective to reduce Deca-BDE emissions to the environment and is already working to achieve this. The industry has indeed already started, in partnership with EU regulators<sup>6</sup>, an emission reduction programme to be implemented all over Europe. A UK trial in the textile sector recently demonstrated that reductions of emissions of over 90% are feasible and practical within a one year timescale. Under these circumstances, EBFRIP believes that Norway's proposed ban is misguided and fails to recognise the significant contributions made to fire safety through the use of Deca-BDE .

EBFRIP has sent a letter to the Norwegian Environment Minister and is seeking dialogue with the national pollution control authority (SFT) during the coming 3-month national stakeholder consultation, which is the next step prior to a final decision from the Norwegian Government.

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<sup>1</sup> Under the current plan, automotive applications of Deca-BDE would be excluded from the restriction.

<sup>2</sup> Deca-BDE is one of the major brominated flame retardants used in plastics for electrical and electronic equipment, in construction materials and textiles to prevent deaths and injuries from fire in public places (e.g. cinema, theatre, hospital, train, bus), cars and houses.

<sup>3</sup> Summary Record of the 9<sup>th</sup> Joint Meeting of the Competent Authorities for the implementation of Council Directive 67/548/EEC (New Substances) and Council Regulation (EEC) 793/93 (Existing Substances) 26 – 27 May 2004.

<sup>4</sup> Final draft R013\_0405\_env "UPDATE OF THE RISK ASSESSMENT OF BIS (PENTABROMOPHENYL) ETHER (DECABROMODIPHENYL ETHER)" CAS Number: 1163-19-5 EINECS Number: 214-604-9 Final Environmental Draft of May 2004, Pg. 92.

<sup>5</sup> EU proposal for a new EU regulatory framework for chemicals, REACH (Registration, Evaluation and Authorisation of CHemicals), 29 October 2003.

<sup>6</sup> For more information on the Industry Voluntary industry emission reduction programme, please visit [www.bsef.com](http://www.bsef.com)