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Swedish move to ban product contradicts scientific conclusions and EU law

The flame retardant Deca-BDE has contributed to saving thousands of lives over the last decades. It is used in textiles and electronic equipment to ensure a high resistance of consumer products against fire.

On 24 August, less than 4 weeks in advance of national elections, the Swedish government has decided to restrict Deca-BDE in textiles, furniture and cables as of 1 January 2007. This unilateral action is a serious breach of EU law and contradicts a 10 year EU scientific assessment which did not identify any risk for human health or the environment from the use of Deca-BDE. It also goes against the proposed new Chemicals Legislation, REACH, which bases regulatory decisions on scientific testing.

Although the Swedish restriction does not include automotive or electrical and electronic equipment, it is expected to have a serious impact on industry and consumer safety.

EBFRIP Chairman Dr Dieter Drohmann commented: "The action by Sweden will either encourage the use of less tested alternatives or drive consumer products to be less safe by increasing their flammability. It has potentially serious implications for consumer fire safety."

Despite legal objections from the European Commission earlier this year, Sweden has proceeded to adopt legislation which prevents goods from circulating freely within the EU market and now risks to be brought before the EU Court of Justice. The Court has the power to overturn national legislation which it considers to be in conflict with EU law.