

SAFEGUARDS

CONSUMER GOODS AND RETAIL

CONSUMER PRODUCTS

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CALIFORNIA PROP 65 REFORMULATION OF FLAME RETARDANTS IN FOAM PADDING

Proposition 65 (Prop 65) is the 'Safe Drinking Water and Toxic Enforcement Act of 1986', a ballot initiative passed overwhelmingly by California residents in 1986. Since its enactment, there have been numerous lawsuits which resulted in the reduction of carcinogenic and reproductive chemicals by reformulations of consumer products containing such chemicals¹.

Prop 65 is now over 25 years old and has been effective in reducing or eliminating the use of toxic chemicals in consumer products. Of the 850 or so listed chemicals, lead and phthalates containing consumer products have been consistently targeted over the years². The flame retardants tris(2,3-dibromopropyl) phosphate (CAS 126-72-7, TDBPP) and tris(2-chloroethyl) phosphate (CAS 115-96-8, TCEP) have been on the Prop 65 list for more than 20 years as chemicals known to the state to cause cancer. California has incorporated tris(1,3-dichloro-2-propyl) phosphate (CAS 13674-87-8, TDCPP) into the Prop 65 list.

The listing of TDCPP since 28 October 2011 has resulted in a number of settlements; notably for polyurethane (PU) foam-containing products. These included a range of consumer products³, including

1. Various types of soft pads for children and infants to lie on
2. Foam products used in upholstered furniture or seat cushions

In the latter half of 2013, a Prop 65 settlement has been reached for the reformulation of TCEP, TDCPP and TDBPP in foam padding materials in ottomans. Highlights of the settlement for these flame retardants are summarised in Table 1.



¹ [Prop 65](#)

² [SGS-Safeguard 193/13](#)

³ [SGS-Safeguard 39/14](#)

TABLE 1.

FLAME RETARDANT	PRODUCT	REFORMULATION
TCEP TDBPP TDCPP	Ottomans with foam padding	≤ 25 ppm each of TCEP, TDBPP and TDCPP

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for flame retardants and other restricted substances in consumer products for Prop 65 and international markets. Please do not hesitate to contact us for further information.



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