

**U.S. Consumer Product Safety Commission**

**LOG OF MEETING**

**SUBJECT: First meeting of the National Academy of Sciences Committee on a Scoping Plan to Assess the Hazards of Organohalogen Flame Retardants**

**DATE OF MEETING: August 9, 2018**

**LOG ENTRY SOURCE; Alice Thaler**

**DATE OF LOG ENTRY: August 14, 2018**

**LOCATION: The National Academy of Sciences, 2101 Constitution Ave NW, Washington, DC 20418**

**CPSC ATTENDEE(S): George Borlase, Assistant Executive Director, Office of Hazard Identification and Reduction; Alice Thaler, Michael Babich, and Kristina Hatlelid, Directorate for Health Sciences; Patricia Pollitzer and Barbara Little, Office of General Counsel**

**NON-CPSC ATTENDEE(S): NAS staff: Greg Symmes; Ellen Mantus; Susan Martel; Jessica Wolfman. NAS Expert Committee on a Scoping Plan to Assess the Hazards of Organohalogen Flame Retardants Members: David Doorman, Chair; Hugh Barton; Karen Blackburn; John Bucher; Julie Daniels; Jennifer Freeman; Kamel Mansouri; Carmen Messerlian; David Reif; Gina Solomon; Chihae Yang. Other: Cheryl Hogue, Chemical & Engineering News; Kimberly White, American Chemistry Council; Chris Cleet, Information Technology Industry Council; Kevin Harper, UL; Lane Hochschwender, American Chemistry Council; Steve Anderson, Albemarle; Steve Scherrer, Lanxess Solutions; Bob Miller, Albemarle Corp.; Pat Rizzuto, Bloomberg Environment; Shawn Skolky, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.; Susanna Blair, US EPA; Catherine De Lacy, Albemarle Corp.; Barbara Little, Albemarle Corp.; Robert Simon, American Chemistry Council; Rehan Ehsan, Consumer Technology Association.**

**SUMMARY OF MEETING: David Dorman, Chair of the expert committee opened the session and introduced the committee members, then everyone attending was invited to introduce themselves. George Borlase provided opening remarks and an overview of the CPSC perspective on the study scope, objectives and background on the organohalogen issue. Kris Hatlelid gave a technical presentation with more detail about the study scope, objectives and background. Subsequently, the expert committee asked questions seeking clarification of their statement of task. The Chair asked about the task statement's focus on cancer, birth defects, and gene mutations. CPSC clarified that the Federal Hazardous Substances Act (FHSA) requires a Chronic Hazard Advisory Panel evaluation before proposing a regulation concerning carcinogenicity, reproductive effects or mutagenicity. However, CPSC is interested in all health endpoints. CPSC stated that the OFRs do not all have to have the same endpoint, but for CPSC to regulate products containing class of OFRs, they would all need to meet definition of "hazardous substance." The Chair asked about inclusion of chemicals that are not actually organohalogens. CPSC responded that the scope of the NAS effort comes from the**

petition: additive, non-polymeric organohalogen flame retardants (OFRs) and other flame retardants included by the petitioners that are not OFRs. The Chair asked about what CPSC means regarding cost estimates. George Borlase responded that we need to know the order of magnitude of the cost to assess the hazards of OFRs as a class. Some members asked about CPSC's history regulating classes of chemicals. Patricia Pollitzer clarified that CPSC has not previously looked at chemicals as a class (noting that CPSC can regulate products containing chemicals, not the chemicals themselves) but the FHSA does not prohibit regulating consumer products that contain a class of chemicals. One member asked if CPSC needs a quantitative risk assessment to regulate under the FHSA. CPSC staff responded that, under the FHSA, CPSC must consider the risk from reasonably foreseeable use of the product, not just the presence of a chemical in a consumer product. CPSC staff noted that this NAS expert committee is not being asked to do the assessment; CPSC is looking for approaches by which others could do the assessment of the hazards posed by consumer products containing OFRs as a class. Committee members asked if smoke exposures were a consideration. Mike Babich stated that smoke toxicity is an important issue for consumers and firefighters, but it is not the primary focus of this committee. Patricia Pollitzer noted that the petition focused on exposures to OFRs through household dust. During the period for public comments, two industry representatives said that OFRs should not be considered as a group, that such consideration is not possible, because they are diverse chemicals with different characteristics, chemical structures, and exposures. They also stated that past evaluations of individual chemicals have found risks to be low.