

**Comparison of Toxic-Free Kids and Families Act  
Comparison of ESHB 1174 to Compromise Proposal**

ESHB 1174

**Compromise Proposal**

Phases out 5 flame retardants <u>in children’s products and residential upholstered furniture.</u>	Same.
Flame retardants covered in the phase out include, <b>TCEP, TDCPP, deca (BDE), TBBPA, and HBCD</b> —all on a state list of chemicals of high concern for children. Level that triggers ban is <b>1000 ppm.</b>	Same.
Authority for the Department of <b>Ecology (Ecology)</b> to carry out rulemaking to phase out other toxic flame retardants that are also chemicals of high concern for children. Chemicals of high concern for children include: carcinogens, mutagens, reproductive or developmental toxicants, or chemicals that are toxic and build up in people (PBTs).	Authority for the Department of <b>Health (DOH)</b> to carry out rulemaking to phase out other toxic flame retardants that are also chemicals of high concern for children. Chemicals of high concern for children include: carcinogens, mutagens, reproductive or developmental toxicants, or chemicals that are toxic and build up in people (PBTs).
Before a flame retardant is identified for phase out, <b>Ecology</b> must issue a report to the on the human health impacts and exposure pathways and a determination on whether a safer alternative exists.	Before a flame retardant is identified for phase out, <b>DOH</b> must issue a report to the legislature on the human health impacts and exposure pathways and a determination on whether safer alternatives exist.
The rule to phase out additional toxic flame retardants must sit through a legislative session.	Same.
Exempts used products	Same.
Ecology can request a certificate of compliance from manufacturers.	<b>Not included</b>
No Sunset	<b>DOH rulemaking sunsets in 5 years.</b>

**Effect:** The suggested compromise moves banning authority for toxic flame retardants to the Department of Health from the Department of Ecology. DOH cannot request a certificate of compliance from manufacturers and DOH rulemaking sunsets in five years.