

BSEF

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**BSEF Statement to the Montana House of Representatives**  
**Human Services Committee**

**Opposition to Senate Joint Resolution No. 15**

**March 23, 2005**

Madame Chairman, Vice Chairmen and members of the committee, thank you for allowing me the opportunity to testify before you today. My name is Glade E. Squires and I am a chemist with 22 years of industrial experience, with 20 of those years, directly involved with flame retardants. I have held positions in Research & Development, Commercial Development, Sales, and Marketing and for the past eight years an executive position within my company. Today, I represent the Bromine Science and Environmental Forum, known as BSEF. BSEF is dedicated to working with regulatory authorities to generate the highest quality scientific data in order to address issues concerning brominated flame retardants (BFRs). Accessing and understanding this kind of data will allow regulatory bodies to make sound, scientific assessments and decisions. The member companies of BSEF are the major, global BFR producers. However, I would like to emphasize that these same companies have a broad portfolio of flame retardant chemicals, including those based on phosphorus, nitrogen, aluminum, magnesium, and antimony. We thus have a very solid understanding of the relative strengths and weaknesses of the various technologies used to flame retard products.

In 2003, the National Fire Protection Association's annual report showed that there were an estimated 388,500 reported home structure fires and 3,145 associated civilian deaths in the United States. According to the U.S. Fire Administration, the national fire death rate is 12.9 deaths per million of population; Montana's death rate is 7.7 per million, well below the national average. However, with an estimated population of just under one million in 2005, eight residents of Montana, according to statistics, will still likely die in house fires in 2005.

The Montana State Fire Marshal's office reports that during the period of January 1997 to January 2004, 96 people died in fires in Montana, 68 of them in residential settings - homes and apartment buildings. What is not known, nor will we be able to report in these statistics, is the number of Montana residents who did not die or will not die in 2005 and beyond due to house fires that **never get started or grow to become life-threatening**. Many of these lives spared will be the direct result of the use of flame retardant materials and, specifically, materials flame-retarded with bromine-based flame retardants.

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Deca that was completed at the end of 2004 is undoubtedly the most comprehensive and rigorous human health and environmental evaluation of any flame retardant ever conducted, whether brominated or not. Over a period of 10 years, technical experts appointed by each of the EU's member states evaluated existing information about Deca, and had additional scientific information developed to fill any significant data. During that time, more than 100 detailed, Deca-specific experiments were run, in addition to the existing information. These experiments were run, and the data was generated, largely at independent test laboratories following the highest standards of scientific protocol outlined in the EU's technical guidance document. The overall Risk Assessment examined the use of Deca under a wide range of scenarios, including its impact on water, land and air, as well as worker and consumer exposure. Appropriate factors were applied to ensure that proper safety margins were built into all the cases. The end result of this exhaustive assessment is that there were no human or environmental risks associated with the use of Deca as a flame retardant. Industry has agreed to undertake additional monitoring and further experimentation to address some remaining questions, but the bottom line is that after ten years of close and detailed study, no risk was identified and no action was recommended.

BSEF would be happy to provide the Committee with the results of the EU Risk Assessment.

The conclusions of the EU risk assessment are in accord with other independent evaluations. The U.S. National Academy of Science, the Consumer Product Safety Commission, and the United Kingdom's Department of Trade and Industry have all examined the use of Deca in various applications and concluded that any risks are low and are more than outweighed by the benefits of its use. No state in the United States has banned or restricted the use of Deca in any way.

Deca makes a very significant contribution to fire safety. Its use directly results in lives saved and the reduction of some of the most distressing injuries imaginable - burns from fire - as well as reduced economic loss. Deca is the most researched and most well-understood of all flame retardants - all of them - and, as discussed above, it presents minimal, if any, risk to the environment or human health. To propose the blanket elimination of Deca and, by necessity the substitution of less well-understood chemicals, is an approach that we believe is not scientifically or factually justified, and has the potential to create problems for the future.

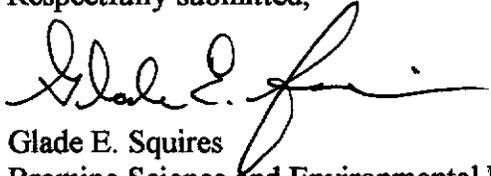
In those applications where Deca is now used, there are no alternatives that combine its effectiveness as a flame retardant together with its economic efficiency. The benefits to society in using Deca are significant and must be carefully considered.

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We believe that the concerns surrounding PBDEs are almost totally associated with the components of the Penta product. Since the Penta and Octa products are no longer being produced by the sole domestic producer, these issues are being effectively addressed. In the case of Deca, however, a wealth of independent, scientific data and analysis shows that there is no identifiable risk that would warrant a phase out or restriction of its use. Deca is not bio-accumulative, and it is not toxic.

SJ 15 is not based on sound science and does not take into consideration the extensive and recent information supporting the continued use of Deca as a highly-effective flame retardant. The resolution also fails to consider the economic hardship that could result from the loss of domestically and internationally mass-produced goods and appliances. One thing is absolutely clear - restricting or banning the use of Deca will result in reduced levels of fire safety for the citizens of Montana. For these reasons, we urge the Committee to vote against SJ 15.

Respectfully submitted,



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