

1 SENATE JOINT RESOLUTION NO. 15

2 INTRODUCED BY WILLIAMS

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA SUPPORTING THE PHASING OUT OF THOSE POLYBROMINATED DIPHENYL ETHERS
6 (PBDES) THAT ARE HARMFUL TO HUMANS; SUPPORTING TESTING OF THE PEOPLE AND THE
7 ENVIRONMENT OF MONTANA FOR PBDES; ENCOURAGING THE DEVELOPMENT OF ALTERNATIVES
8 TO PBDES; ENCOURAGING THE AVAILABILITY OF PRODUCTS CONTAINING ALTERNATIVES TO PBDES;
9 AND SUPPORTING THE USE OF BREAST MILK FOR BABIES WHILE REDUCING TOXICANTS IN BREAST
10 MILK.

11
12 WHEREAS, polybrominated diphenyl ethers (PBDEs) accumulate in the food chain, in the blood and
13 breast milk of nursing mothers, and in the blood of infants; and

14 WHEREAS, CERTAIN PBDEs are linked to serious health effects, including memory impairment and
15 learning and behavioral problems in laboratory animals at very low levels, and have also been associated with
16 disruption of thyroid hormone balance, ~~non-Hodgkin's lymphoma in humans~~, and a variety of cancers in rodents;
17 and

18 WHEREAS, PBDEs are similar in chemical structure to polychlorinated biphenyls (PCBs), a highly toxic
19 chemical that was banned in the United States for production in 1977 and for distribution in 1978; and

20 WHEREAS, recent scientific studies have documented rapidly rising levels of PBDEs in human breast
21 milk in the United States and testing of breast milk from women in Helena and Missoula has documented levels
22 of PBDEs from 20 to 40 times higher than their European and Japanese counterparts; and

23 WHEREAS, PBDE levels are rising in fish and other aquatic organisms and are building up in sediment
24 and fish consumption constitutes a major exposure pathway for humans; and

25 WHEREAS, tests for PBDEs in household dust in U.S. homes have revealed high levels of PBDEs; and

26 WHEREAS, PBDEs can enter the environment during the production and disposal of materials
27 containing PBDE flame retardants, as well as during the lifetime of PBDE-containing products; and

28 WHEREAS, PBDEs are widely used in upholstered furniture, electronics, automotive interiors, and
29 plastics to slow the spread of fire; and

30 WHEREAS, alternative measures, including use of less hazardous flame retardant chemicals and use

1 of less flammable materials in manufacturing, are available and have been adopted for use by companies
2 including IKEA, Intel, and others; and

3 WHEREAS, Maine, Hawaii, and Michigan banned the use of certain PBDEs in 2004 and California and
4 Europe banned the use of certain PBDEs in 2003, in these instances citing the safe, cost-effective alternatives
5 to PBDEs for use as flame retardants; and

6 WHEREAS, phasing out use of potentially toxic chemicals is an essential step in reducing these
7 exposures to infants through lactation and in reducing these exposures to general populations through
8 environmental contamination, including the contamination of fish; and

9 WHEREAS, an Executive Order was issued in Washington State in 2004 to develop a phaseout plan
10 for PBDEs as part of its larger strategy to phase out persistent bioaccumulative toxic chemicals; and

11 WHEREAS, the Environmental Protection Agency has proposed a Significant New Use Rule to ensure
12 that no new manufacture or import of certain PBDEs can occur after January 1, 2005, without first being subject
13 to EPA evaluation.

14
15 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
16 THE STATE OF MONTANA:

17 (1) That members of the Montana Legislature support the phaseout of the use of THOSE PBDEs in
18 Montana THAT HAVE BEEN SHOWN TO BE HARMFUL TO HUMANS while maintaining existing fire safety standards.

19 (2) That members of the Montana Legislature support monitoring of PBDE levels in the people and
20 environment of Montana.

21 (3) That members of the Montana Legislature encourage further development of safe, cost-effective
22 alternatives to products containing PBDEs.

23 (4) The members of the Montana Legislature encourage manufacturers and retailers to provide products
24 containing safe, cost-effective alternatives to PBDEs;

25 (5) That members of the Montana Legislature are committed to promotion of breast milk as the
26 "healthiest choice" for babies while supporting this reduction of potential toxicants in human breast milk.

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