



The Alliance for a **HEALTHY TOMORROW**

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Protecting Industry, Not Children: How Industry Keeps Arsenic-treated Wood on the Market¹

What is CCA-Treated Wood?

Children in Massachusetts are needlessly being exposed to a toxic, cancer-causing chemical: arsenic. Nearly all the pressure-treated wood used in playgrounds is injected with a deadly pesticide called chromated copper arsenate (CCA), which kills insects and prevents rot. CCA-treated wood is also used frequently in decks, porches, stadium seats, and picnic tables.

Over time, arsenic leaches to the surface of treated wood. When children play on CCA-treated play structures, the arsenic can rub off on their hands and then accidentally ingest it. Arsenic can also get into our water supply when CCA-treated wood is discarded in unlined landfills. Sometimes discarded CCA-treated wood is processed and sold to consumers as toxic mulch.

Why Are Our Children Exposed to CCA-Treated Wood?

There are many alternatives to arsenic-treated wood, but CCA-treated wood is big business in the U.S. And the wood products industry does not want public health concerns to get in the way of business. The wood products industry has used misleading scientific claims, aggressive lobbying, and lawsuits to keep CCA-treated wood on the market. Unfortunately, government regulators are often willing to make special exceptions for the wood treatment industry.

Special favors from Government Regulators: No Information for Consumers

If we don't know what our children are being exposed to, we can't take steps to protect them. Unfortunately, industry has worked hard to prevent us from learning what is in the wood we buy.

For example, in the mid-1980s the U.S. Environmental Protection Agency (EPA) created a mandatory Consumer Awareness Program for wood treated with CCA and other toxic chemicals. Under this program, wood treaters were required to inform consumers about dangers of CCA-treated wood. Industry representatives opposed this consumer information program, and in 1986, EPA responded by deleting the requirement.²

In place of this mandatory program, the wood treatment industry said it would *voluntarily* inform consumers about how to protect themselves from CCA-treated wood.³ But the companies that sell CCA-treated wood have little incentive to tell us their product is dangerous.

Special favors from government regulators: Hazardous waste exemption

The U.S. Environmental Protection Agency (EPA) classifies items as hazardous waste if they release certain levels of toxic contaminants. CCA-treated wood qualifies as hazardous waste under EPA's standard definitions, but the wood products industry enjoys a special exception to these definitions. As a result, it is legal to discard CCA-treated wood in unlined landfills. From these landfills, arsenic may leach into groundwater.⁴

Misrepresenting the Science

Science shows clearly that arsenic exposure causes cancer and other diseases. But there are many ways for industry to confuse the issue.

- The wood treatment industry often sponsors or publicizes studies attempting to show that CCA-treated wood is safe or does not pose “undue” threats to human health.⁵ One such study contained a mathematical error that understated the danger to children by a factor of 1,000.⁶
- One industry representative has claimed that “you could basically suck on a 2-by-4 and it wouldn’t cause you any harm.”⁷

Even when claims like these turn out to be false, they serve to slow down the regulatory process -- and give the industry more time to sell its toxic product.

Lobbying and Lawsuits

- **In Florida and other states, the wood treatment industry has lobbied against proposed laws** that would have reduced the use of CCA wood.⁸
- **Hickson Corporation, a major wood treatment company, sued a small wood treater who mentioned the dangers** of CCA wood in promotional materials for alternative wood treatment products.⁹

How long should we wait before acting to protect our children?

Within months after the EPA rejected calls for a ban on the product and the launch of a subsequent widespread grassroots campaign, the treated wood industry announced a voluntary plan to phase-out arsenic-treated wood at the retail level leading to the elimination of the sale of about 85 percent of arsenic treated wood. The plan, announced on February 12, 2002, is intended to ease the economic impact of the phase-out on the industry by giving them until December 31, 2003, to stop selling the product to consumers and by exempting industrial and commercial uses, including use on farms, home foundations, and other areas that could leach into drinking water, to continue.

But, both the industry and the EPA failed to address the issues of safe disposal of CCA-wood and the billions of board feet still in use in the form of existing playgrounds, decks, and landfills.

In the meanwhile, the EPA and the Consumer Products Safety Commission continue the long process of further studying the issue. Their study will try to predict how many children may get cancer from playing on CCA-treated wood, and if the amount of child cancer cases is “acceptable”. They will also compare the costs to the industry of any bans or controls to a monetary estimate of the public health benefit. This whole process will take another year and may still end with no further action.

Meanwhile, every day that we take no action, children continue to be exposed to a known poison. There are safer alternatives to CCA-treated wood and therefore there is no reason to risk one the health of even more child.

Continued use of CCA-treated wood is just one example of how our children’s health is being threatened by flawed policies and special interest interference in public health decision-making. The recent voluntary industry decision to stop retail sales shows that our actions are paying off. The Alliance for a Healthy Tomorrow is a coalition of organizations and individuals who are working for ensure a healthy environment for our children.

For more information or to join our efforts, call 617-338-8131.

<http://www.healthytomorrow.org>

⁵ EPA 1986

⁶ T. Townsend and H. Solo-Gabrielle, *New Lines of CCA-treated Wood Research: In-service and Disposal Issues*. (Gainesville, FL: Florida Center for Solid and Hazardous Waste Management, 2001). Available at http://www.floridacenter.org/publications/solo-gabrielle_00-12.PDF. Also see U.S. Environmental Protection Agency (EPA) Office of Solid Waste, “Construction and Demolition Waste Landfills,” February 1995 (May 18, 1995 draft report), available at <http://www.epa.gov/OSWRCRA/hazwaste/sag/const/cdrpt.pdf> (visited October 26, 2001).

⁷ See list of studies at http://www.preservedwood.com/safety/research_list.html and August, 2001 press release at <http://www.preservedwood.com/news/010806caafocus-nws.html> (visited October 26, 2001).

⁸ Hazardous Substance and Waste Management Research, Inc., letter from Christopher M. Teaf, President and Director of Toxicology, to Scott Raminger, President and CEO, American Wood Preservers Institute, April 9, 2001.

⁹ C. Rist, “Arsenic and Old Wood,” *This Old House* (March/April, 1998)

⁸ Ron Matus, “Treated Wood Ban Fails to Go Through,” *Gainesville Sun* (May 4, 2001). Available at <http://www.sunone.com/articles2001-05-04g.shtml>.

⁹ Ron Matus, “Arsenic Stances Contradictory,” *Gainesville Sun* (April 21, 2001)