



Toxic Films LLC
presents

TOXIC HOT SEAT

A Film by Kirby Walker and James Redford

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Logline

TOXIC HOT SEAT follows a courageous group of firefighters and mothers, journalists and scientists, politicians and activists as they fight to expose a deadly, multi-million dollar campaign of deception that's left a toxic legacy in our homes and bodies - a campaign so cunning, it's taken nearly 40 years to unravel.

Synopsis – Short

Chemical flame retardants are everywhere. Our furniture. Our homes. Our bodies. But do they work as promised? And are they making us sick? To answer these questions, TOXIC HOT SEAT dives into a deadly nexus of money, politics and power – and introduces us to a few brave citizens willing to stand their ground and demand an answer to an essential question: Why have we let 84,000 chemicals go largely unregulated in this country?

Synopsis – Medium

Chemical flame retardants are everywhere. Our furniture. Our homes. Our bodies. But do they work as promised? And are they making us sick? The three chemical companies producing flame retardants would prefer that we not ask these questions, and they've spent millions of dollars on lobbyists, publicists and influencers to ensure that we don't. It might remind you of the Big Tobacco cover-up. Which makes sense, since Big Tobacco has had a hand in this, too.

Set against the backdrop of the award-winning 2012 Chicago Tribune investigative series "Playing With Fire," TOXIC HOT SEAT threads together an intricate story of manipulation that details how Big Tobacco skillfully convinced fire safety officials to back a standard that, in effect, requires all furniture to be filled with toxic flame retardants. The film continues to untangle how the chemical companies cover-up deadly risks to public health. It exposes the chemical industries manipulation of chemical safety data by paying "experts"

to alarm legislators and the public about the deadly risk of removing chemical flame retardants from our homes.

Through the personal stories of a cancer-surviving firefighter, a renowned chemist whose work helped remove fire retardants from kid's pajamas in the 1970s, and a brave and determined young Maine legislator and mom, TOXIC HOT SEAT reveals the courage of brave citizens willing to fight for the truth against a deadly nexus of money and politics.

About The Film

TOXIC HOT SEAT tells the story of a growing tide of activists, journalists and citizen groups who are bringing an end to the era of manipulation and misinformation about hidden toxic chemicals.

The film shows the struggle to remove toxic flame retardant chemicals from our couches, environment and bodies. These chemicals are linked to lower IQ in children, thyroid disease, infertility, cancer and other rising rates of health problems. They are found in every living being on earth.

Since the film began production, the story has been unfolding fast:

- Several state legislatures, including Vermont and Maryland, have banned flame retardants in furniture
- On May 11, 2012, The Chicago Tribune commenced publishing a five-part series that explored the decades-long campaign of profit-driven deception borne from the misleading tactics of the tobacco industry.
- California's Governor Jerry Brown directed The California Bureau of Home Furnishings to replace Technical Bulletin 117, the outdated and ineffective flammability standard followed by most furniture manufactures nationwide.
- In 2014, California will have a revised fire-safety standard that, for the first time in nearly 40 years, will provide a non-toxic alternative to all consumers.

But the fight does not end there. While we are entering the era of less toxic fire safety, our homes and children continue to be exposed to tens of thousands of unregulated chemicals.

Under the 37-year old Toxic Substances Control Act (TSCA), chemical manufacturers have little responsibility to prove chemicals are safe before using them in commercial household products.

As Janet Nudelman from Breast Cancer Fund wrote in a Washington, DC venue aimed at legislative staffers called *The Hill*: "Under TSCA, it's perfectly legal to use formaldehyde, benzene, vinyl chloride, asbestos and other known or suspected carcinogens to make items we use every day, including household cleaners, furniture and plastics."

There are encouraging signs. In June 2013, 23 senators from both parties introduced the Chemical Safety Improvement Act (CSIA). While the bipartisan

spirit was laudable, we feel that the new bill lacked effective regulatory power and was a promotion of the status quo. Many individuals and organizations that have been dedicated to the issue of protecting our health from toxic chemicals felt the same way.

The good news is that effort to reform the Toxic Substances Control Act is alive and well. With the tragic loss of the original sponsor, Senator Frank Lautenberg, authorship of the new bill has broadened to more Senators engaged in protecting environmental health and will be hitting the floor for a vote late 2013 or early 2014.

This is our chance. It will be up to all of us to make sure that special interests do not defeat this new bill with the addition of environmental health protections firmly in place.

Those who put corporate profit before public health cannot succeed unless we are disinterested and disengaged. So let's spread the word online and on the ground that this bill with the additions to it of strong environmental health protections needs to pass.

TOXIC HOT SEAT captured a rare and special moment in time when Californians, with health advocates nationwide, came together to face unethical corporate interests to protect our health and the health off future generations.

The time is now for the entire country to insist on a toxic free future. Let's get it done!

About the Issue

California Technical Bulletin 117 is meant to do one thing: reduce the escalating death rates from house fires caused by cigarettes. TB117, penned in 1975, did this by demanding that the polyurethane foam inside most chairs and couches withstand a candle flame for 12 seconds.

Although fires rarely start with the ignition of *internal* furniture foam but rather the fabric surrounding it, TB117 created a vast new market for chlorinated and brominated ethers. To streamline operations, furniture makers opted to use the fire retardant chemicals in all polyurethane foam-based furniture, not just those items intended for sale in California.

These chemicals – measured not in parts per billion but in pounds and ounces per couch – are dangerous. When UC Berkeley researchers identified one flame retardant used in children's clothing with a high likelihood of causing cancer, Brominated Tris was banned from children's pajamas in 1977. It wasn't, however, banned from use in couches, strollers, car seats or nursing pillows.

The Centers for Disease Control and Prevention (CDC) reports that fire retardant chemicals are found in more than 90% of American's bodies, including in breast milk. This happens because Polybrominated Diphenyl Ethers (PBDEs) migrate into dust and then, not surprisingly, into humans (especially babies and toddlers who spend time close to the floor). Animals are not immune. The Canadian Department of Fisheries and Oceans and its National Water Research Institute have found fire retardants in tissue samples of killer whales and polar bears.

Flame retardants, when ignited, also form cancer-causing dioxins. A November 2006 analysis of 32 studies in the *Journal of Occupational and Environmental Medicine* found that firefighters have significantly elevated rates of multiple myeloma, non-Hodgkin's lymphoma, prostate, and testicular cancer.

The impact that these chemicals have in the bodies of not just firefighters, but Americans everywhere, is staggering. Women exposed to flame retardants are less likely to achieve pregnancy, children are far more likely to have mental disorders, and people are getting cancers of the worst kind- liver, brain, kidney and testicular.

But flame-retardants do their job, right? Dr. Vytenis Babrauskas, the lead author of a large government study done in 1987 on the effectiveness of fire

retardants, says no. Although manufacturers of flame retardants have heralded this study as proof that flame retardants prevent fires, Dr. Babrauskas contends in a 2012 *Chicago Tribune* article that industry officials have “grossly distorted” his findings. He asserts that the real-world amounts of retardants used in today’s typical home furnishings, as opposed to the markedly larger studied amounts, provide “little to no fire protection.”

Director's Statement

Storytelling - it's how we make sense of the world. Our desire to create meaning in an often random and complex world resides deep within novelists, playwrights, journalists and screenwriters. To be human is to desire meaning, and storytellers are driven to provide that meaning - for themselves and for others.

Documentary filmmakers are no different. We see an issue and say, "people ought to know about this." We are compelled to share the stories and give a voice to those inspiring individuals working for justice who often go unheard. Documentary filmmaking is an arduous and lengthy process built upon the risky assumption that people need to hear the story. Ask any documentary filmmaker, however, and they will tell you that a good story always feels indisputably beyond question.

That is certainly how we feel about story at the heart of our documentary, TOXIC HOT SEAT. Why do we use chemical flame-retardants in our furniture? Science shows that, although ineffective, they pose serious health concerns. Why do we allow America's children to jump, crawl and nap on objects that might be harming their health? Most importantly, how do we stop this madness?

The answers to these questions take us deep into the shadowy nexus of money, politics and power - and a few inspiring citizens who are leading the way towards positive change. In an era of depressing environmental stories that leave us feeling hopeless this is a story that we hope will outrage you and at the same time inspire you to join the movement.

We hope you enjoy it!

- Jamie and Kirby

About the Filmmakers

Kirby Walker



Kirby is an award-winning independent film and video producer. She worked for CBS News in New York, and left to do graduate work in communications at Stanford University, where she received her MA in Communication in 1982. In 1982 she founded Omega Productions, an educational and corporate film and video and production firm where she produced and directed projects for numerous clients including: Apple, The Gap, Levi Strauss, Pacific Telesis. She is currently an Honorary Board member of the Natural Resources Defense Council in New York, and Summer Search San Francisco and has served on the boards of Marin Country Day School, and The Center for Investigative Reporting. She serves on the Advisory

Committee for Golden Gate National Parks Conservancy.

James Redford



James writes, produces and directs for film and television. His latest directorial project, *Aces*, is a documentary film that explores the emerging link between childhood trauma and life-long health problems – and what can be done about it. He directed *The Big Picture: Rethinking Dyslexia* currently airing on HBO. He also produced the film *Watershed* about the Colorado River and the acclaimed HBO documentary *Mann V. Ford*.

Additionally, James wrote and directed *Quality Time*, an award-winning short comedy starring Jason Patric. He recently combined his passion for music and directing in Andain's new music video, *Much*

Too Much.

Other credits include producing *The Kindness of Strangers* which premiered at Sundance in 1999 and was picked up by HBO as well as adapting and directing

Showtime's Spin starring Stanley Tucci, Dana Delany, and Ruben Blades.

Redford also wrote the original screenplays for Cowboy Up starring Kiefer Sutherland and Darryl Hannah as well as adapting Tony Hillerman's Skinwalkers, a PBS/Mystery! series that was the highest-rated PBS-scripted program of 2002. The Acting Thing, a comedic short written by James, was named best comedic short at the 1996 Houston Film Festival and aired on the Sundance Channel that same year.

After surviving two liver transplants, James founded JRI, a non-profit dedicated to promoting a deeper understanding of the miraculous gift of organ donation. His live musical event, "Share the Beat", has been performed across the country with the help of notable talents such as: Tim McGraw, Phil Vassar, Deana Carter, Ruben Blades, Dana Delaney, James Denton, Ryan Merriman, and Eric Stromer among others.

James also plays guitar for Olive and the Dirty Martinis, a popular Bay Area rock and roll cover band. He is an avid surfer, cyclist, and skier and currently lives in Marin County, CA. To learn more, please visit www.jamesredford.com.

Characters

Arlene Blum

Visiting Scholar, Chemistry
University of California, Berkeley

Tony Stefani

Firefighter

Andrew McGuire

Lobbyist

Sarah Janssen

Chemist
NRDC

Avinash Kar

Chemist
NRDC

Hannah Pingree

Maine Legislator and Mom

Anna Mascarenas

Marcelo Hirshler, Ph.D.

Patricia Callahan

Investigative Reporter
Chicago Tribune

Sam Roe

Chicago Tribune

Michael Hawthorne

Investigative Reporter
Chicago Tribune

Gordon Damant

Author (TB117)

Vytenis Babrauskas

Fire Science and Technology, Inc.

Karen Kerr Stone

Don Lucas

Chemist

Lawrence Livermore

Mark Leno

Senator

Tonya Blood

Barbara Boxer

Senator

Gov. Jerry Brown

Sharyle Patton

Director, Health & Environmental Program

Commonweal

Ana Mascarenas

Policy & Communications Coordinator

PSR*LA

Kathryn Alcano

California Policy Director

Center for Environmental Health

Timeline

1920

A cigarette-ignited fire in Lowell, Massachusetts, caught the attention of U.S. Congresswoman Edith Nourse Rogers (D-MA); she called for the National Bureau of Standards (NBS) to develop technology for "self-snubbing" cigarettes.

1932

After three years of research, the NBS develops a "self-snubbing" cigarette. No cigarette manufacturers incorporate the idea.

1975

Frustrated by the number of residents dying in fires caused by cigarettes, California introduces Technical Bulletin 117, a consumer fire safety code that requires polyurethane (found in most upholstered furniture) withstand a candle flame for 12 seconds.

To comply, manufacturers start using up to two pounds of fire retardant chemicals on the typical medium-sized sofa. *(Don Lucas, flammability expert at Lawrence Berkeley National Laboratory)

1976

Toxic Substances Control Act (TSCA) becomes the nation's primary chemical safety law. By grandfathering the 62,000 chemicals on the market, the EPA does not have to review their safety. 200 actually tested. 5 restricted.

1977

Research by UC Berkeley researchers Arlene Blum and Bruce Ames on brominated Tris used as a flame retardant identifies that it acts as a mutagen – it damages DNA – with a high likelihood of causing cancer.

Consumer Product Safety Commission, an independent agency of the U.S. government that reports to Congress and the President, bans brominated Tris from children's pajamas.

1983

Demand for flame-retardants is 526 million pounds. (The Freedonia Group)

1987

The chemical industry commissions the National Bureau of Standards to conduct the first large-scale study of the effectiveness of fire retardants. Specially designed chairs, TVs and electrical cables are covered with large amounts of the most potent and expensive chemicals. Retarded samples provide 15 times more escape time than non-treated items.

Manufacturers of flame-retardants hail the study as proof that the chemicals prevent residential fires and save lives. Author of the study, Dr. Vytenis Babrauskas, maintains in a 2013 Chicago Tribune article that "the companies grossly distorted" the findings of his research, which was not based on real-world conditions. The small amounts of flame retardants in typical home furnishings, he said, offer little to no fire protection."

A report funded by the Cigarette Safety Act to Congress states that it is technically feasible and maybe commercially feasible to make a cigarette that is less likely to start fires.

1989

National Association of State Fire Marshals is founded with help from Peter Sparber, a former Tobacco Institute VP.

2006

Arlene Blum discovers manufacturers are using chlorinated Tris on polyurethane foam in furniture cushions, nursing pillows, car seats and other consumer products to meet California's Technical Bulletin 117.

2007

California State Rep. Sally Lieber (D-Mountain View) introduces AB513 to outlaw a brominated flame retardant called deca (short for decabrominated diphenyl ether or deca-BDE). The bill fails on the Assembly floor. Chemical industry's lobbying campaign is successful.

2008

Dr. Ami Zota at the University of California, San Francisco finds levels of fire retardant penta-BDE in California house dust that is 4 to 10 times higher than other areas in the US and 200 times higher than in Europe. She also find penta-BDE in the blood of California residents at levels twice as high as the national average.

State Rep. Mark Leno (D-CA) introduces AB706 to prohibit all forms of brominated and chlorinated flame-retardants in upholstered furniture and bedding products such as pillows, comforters, and mattresses. Bill fails on the Senate floor in 2008.

Global flame retardant market worth \$4.1 billion. (BCC Research, a market forecasting group)

2009

State Rep. Mark Leno introduces SB772 to exempt strollers, infant carriers, bassinets and nursing pillows from flame retardant treatments because they have proven to pose no fire risk. The bill passes a Senate floor vote but fails to win the majority needed to pass the 17-member Assembly Appropriations Committee. Again, the chemical industry's campaign to keep regulations from becoming law is successful.

2010

State Rep. Mark Leno introduces SB1291 to place flame-retardants under the regulatory control of the state's Green Chemistry Initiative. Mandates review of new flame-retardants before they can be added to consumer products. Bill fails on the Senate floor by one vote.

2011

Undaunted, State Rep. Mark Leno introduces SB147 to reduce flame retardant exposure. Bill calls for a smolder flammability test instead of the current open flame test so that manufacturers would not have to use flame-retardants. Bill killed in committee by a vote of seven to one.

Senator Frank Lautenberg (D-NJ) introduces the Safe Chemicals Act

California Office of Environmental Health Hazard Assessment lists chlorinated Tris as a cancer-causing chemical under Proposition 65.

2012

28 states considering toxic chemical legislation.

2008 - 2012

Chemical industry spends at least \$23.2 million lobbying California officials and donating to campaigns to defeat flame retardant legislation.

2013

A UC Davis study of mice showed brain damage from a leading flame-retardant. The study offers a possible pathway by which flame retardants lead to autism in humans.

Department of Health in the state of Washington states that mattresses, mattress pads, couches, easy chairs, foam pillows, carpet padding, and other foam products purchased before 2005 contain chemicals dangerous to breathe in.

2014

Demand for flame-retardants projected by The Fredonia Group to be 4.4 billion pounds.

Credits

Produced and Directed by
Kirby Walker and James Redford

Edited by
Jen Bradwell

Cinematography by
John Kiffmeyer
Tylor Norwood

Music by
Daniel Lanois

Additional Camera
Gregg Betonte
Peter Kent
Erik Van Lenten
Alan Hereford
Joseph Hudson
Blue Hour Films

Sound Recording
Dylan Hurley

Additional Sound
Marshal Stacks
Javier Roberto Carlos
Tom Holman
Seattle Sound

Line Producer
Brook Holston

Production Coordinator
Shannon Stirone

Associate Producer
Cassandra Jabola

Additional Editing

Jeffrey Boyette

Assistant Editors

Joel White

Luke Shock

Remedy Editorial

Sound Design and Re-recording Mixer

Bob Edwards

Marketing Outreach

Spoken Media

Praise for Toxic Hot Seat

The New York Times

Nicholas Kristof

"...a story of corporate greed, deceit and skulduggery, powerfully told...a televised window into political intrigue and duplicity that makes 'House of Cards' or 'Breaking Bad' seem like a Sunday school picnic...I hope executives squirm...as they watch 'Toxic Hot Seat.'"

The Chicago Tribune

Margaret Holt

"The importance of watchdog journalism was brought home again and again."

The Houston Chronicle

Gabe Canales

"Please watch this documentary, become educated on cancer prevention and take action by demanding legislation that protects our health..."

Slate

Kristin Hohenadel

"...a stark reminder of the dangerous chemical flame retardants embedded in polyurethane foam-based home furnishings that do a better job at causing birth defects and cancers than protecting us from fires."

Nonfics

Daniel Welber

"...like many good political films, Toxic Hot Seat somehow manages to both restore and destroy your faith in the American system...we need documentaries like this one, well-organized examples of solid journalism...Walker and Redford have made one of the clearest, most effectively informative issue documentaries of the year."

Daily Kos

Kenneth J. Bernstein

"...an important documentary...we should watch it, and encourage others as well..."

7x7

Dino Ray Ramos

"...in-depth and riveting documentary that examines fire safety and toxic flame retardants that will make you look at your furniture in a totally different light."

Pacific Sun

Mal Karman

"[tears] into the claim that chemical flame retardants in all our upholstered furniture actually work and presents evidence showing firefighters have come down with the same rare illness..."

Cinesource Magazine

D. Schwartz

"...an incendiary documentary film... Redford and Walker wisely do not stop at retardants. They place these chemicals and this story in the larger context of an out-of-control chemical industry..." "Toxic Hot Seat" is environmental filmmaking at its pinnacle—revealing, horrifying, infuriating, compelling, and hopeful."

Spinning Platters

Carrie Kahn

"...a levelheaded exploration of the history of flame retardants...Thought provoking and timely, this film is sure to stir lively discussion."

Mother Nature Network

Gerri Miller

"[Toxic Hot Seat] highlights the movement to fix a problem that touches us all...these toxic substances are dangerous to human health...This point is chillingly driven home in the documentary 'Toxic Hot Seat'..."