

**LETTER TO VERMONT RETAIL LUMBER and BUILDING MATERIALS COMPANIES
from MEMBERS OF THE VERMONT SENATE and HOUSE OF REPRESENTATIVES**

Endorsed by VMS, Spring 2003

Letter from members of the Vermont Senate and House of Representatives strongly urging Vermont lumber retail sales companies to discontinue the promotion of pressure treated lumber containing chromated copper arsenic for play set construction kits, and to inform consumers of alternate building materials available for those kits.

Whereas, the majority of outdoor home project structural lumber in this country is a green tinted wood referred to as pressure treated lumber, which is a wood saturated with wood preservative, most commonly a pesticide called chromated copper arsenic, which has a standard formulation of 22% pure arsenic; and

Whereas, the FDA has initiated a phase-out of the sale of all such lumber for direct consumer use, with a ban on such sales as of December 31, 2003; and

Whereas, the state of Vermont has discontinued the purchase of all such lumber for uses which come into contact with individuals, and is facing the dilemma of how to protect people from exposure to existing structures, such as play sets and picnic tables in state parks; and

Whereas, the state has notified local recreation commissions and school districts of the dangers of such wood and has advised communities to discontinue any new uses; and

Whereas, school districts around the state are wrestling with the problem of how to protect children from existing play equipment, which must be sealed annually as a minimum precaution; and

Whereas, solid waste districts in the state are advising consumers of the extraordinary measures necessary to dispose of such wood as potential hazardous waste, including the need to dig out a foot of soil from under any type of structure and bag it for disposal, since it becomes, permanently contaminated by seepage from the structures; and

Whereas, children are particularly susceptible to exposure and it has been estimated that in less than two weeks an average five-year-old playing on a CCA treated play set would exceed the lifetime cancer risk considered acceptable under federal pesticide law; and

Whereas, there may be parents and other consumers unaware of the risks of such wood, particularly to children; and

Whereas, members of the Vermont Senate and House of Representatives have become aware that there are some lumber stores in Vermont which are continuing to directly promote and sell home child play set construction kits with pressure treated lumber as the component for construction, and have expressed the intent to continue to do so until the end of the federal phase-out; and

Whereas, sporting goods or toy stores which set kit parts for such play sets may be unaware of the dangers and common use or availability of such lumber for the purpose of constructing such kits; now therefore be it

Resolved by the undersigned members of the Vermont Senate and House of Representatives:

That it strongly urges the consumer retail lumber companies in the state of Vermont to immediately discontinue promotion and display of child play set construction kits with chromated copper arsenate pressure treated lumber as the component for construction, and that if the part kits are being sold, alternate lumbers be recommended for their construction.