After five years of resistance from chemical manufacturers, we scored a breakthrough in the fight to remove toxics from furniture sold in California.

The Consumer Federation of California and a coalition of firefighters, public health officers, environmental groups, parents, scientists and many others have been working to change a 37 year old state regulation that saturated California homes with toxic flame retardant chemicals.

This is an important victory for consumers and we applaud Governor Brown's decision.

While evidence shows that these chemicals don't stop fires, they do migrate into the dust in our homes, and from there, into our bodies. The blood streams of pregnant women and toddlers in California have the world's highest levels of fire retardant chemicals linked to neurological damage, reproductive harm and other harm to human health and the environment. When these chemicals smolder they release dioxin and furan, which are linked to non-Hodgkin's lymphoma and brain cancer that occur at elevated rates among firefighters exposed to this toxic smoke.

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The good news is that an alternative non-toxic furniture flammability safety standard has been developed by safety experts. Chemical manufacturers spent $23 million in California, stopping five separate pieces of legislation that would have required adoption of a non-toxic regulation.

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The turning point came when the Chicago Tribune revealed the long campaign of flame retardant manufacturers' lies, intimidation and influence peddling.

While this is a milestone—the fight isn't over. The chemical industry will be working hard in the upcoming months to dilute the new standards and we will be testifying and continuing the fight on behalf of consumers.
Medical Privacy Under Attack

BY RICHARD HOLOBER, EXECUTIVE DIRECTOR

Consumer groups are fighting an attack on California’s medical privacy law. Medical records giant McKesson Corporation is sponsoring Assembly Bill 439 (Skinner). The bill would have created loopholes in the Confidentiality of Medical Information Act (CMIA), immunizing health care corporations that repeatedly let strangers get their hands on confidential health records without the patient’s consent.

Current law prohibits health care providers from the unauthorized disclosure of private patient records. Privacy violations are subject to actual damages and/or nominal damages of $1000 per record, as well as civil penalties. As amended in June 2012, AB 439 would have eliminated court ordered damage awards if the violator established an “affirmative defense” in which it showed that the records release was negligent, no patient suffered harm, and corrective steps were taken to tighten records security.

The Senate Judiciary Committee heard AB 439 in early July, where opposition was expressed by the Consumer Federation of California, Consumer Action, Consumer Watchdog, CALPIRG, Privacy Rights Clearinghouse, California Alliance for Retired Americans, Electronic Frontier Foundation and World Privacy Forum.

Consumer groups opposing AB 439 were willing to modify CMIA’s mandatory $1000 damage award for each record breached, and instead grant a court discretion to determine the appropriate level of damages, after it reviewed the totality of the circumstances surrounding a privacy breach. However, the bill...
November Ballot Recommendations

The Consumer Federation of California Policy Board Recommends:

Yes on Prop 30 Restores Education Funding
Provides $8.5 billion a year in funding to public schools, public colleges and universities and public safety programs. Raises personal income taxes for seven years on individuals earning over $250,000 per year and couples earning over $500,000 per year filing joint returns. Temporary ¼% sales tax increase for four years. Without this initiative, K-12 education, community colleges, CSU and UC face devastating cuts.

While the recession has squeezed middle class incomes, the concentration of wealth at the very top has increased. Prop 30 asks the top 2% of income earners to pay a bit more to keep schools and colleges open.

No on Prop 32 Exempts Super PACs from Campaign Finance Limits
Funded by billionaires, Proposition 32 deceptively claims the measure will rein in campaign contributions from both unions and corporations. In truth, the one-sided measure will strangle union members from joining together to contribute to campaigns, but it does nothing to stop the flow of money from the wealthy.

Proposition 32 exempts secretive Super PACs and corporate front groups from raising unlimited amounts of money to support their candidates and defeat their opposition. The result: even more politicians owned by the big business, cutting education, carving out corporate tax loopholes, and catering to polluters.

No on Prop 33 Raises Auto Insurance Costs on Good Drivers
Funded by Mercury Insurance’s billionaire Chairman George Joseph, Prop 33 is nearly an identical replay of Mercury’s unsuccessful 2010 initiative aimed at raising auto insurance costs on millions of drivers.

Prop 33 would allow insurance companies to charge higher rates to customers with perfect driving records if they have not purchased auto insurance at some point in the past five years. Drivers must pay this unfair penalty even if they did not own a car or need insurance at the time. It discriminates against people who have been ill, unemployed, students entering the workforce, eco-friendly by taking public or other transportation, and who then need car insurance to drive again.

No on Prop 38 Tax Hike on Working Poor and Middle Class
Funded by a billionaire, Prop 38 would raise taxes on low and moderate income Californians to fund early childhood and K-12 education. Perhaps well-intended, Prop 38 fails the test of tax fairness. It punishes poor Californians who are struggling to survive by permanently raising taxes on taxable incomes as low as $7,316 a year. The measure provides no funding for community colleges and public universities. It stands in sharp contrast to Prop 30, which targets the top 2% of income earners for a temporary tax hike to fund K-12 schools and public higher education.

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The average number of patient records compromised in each reported breach increased from 26,968 in 2010 to 49,394 in 2011.