

## CLIENT ALERT

### Crumb Rubber – Update on Status of Current Investigations

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Many municipalities, universities, and even secondary schools have installed synthetic turf containing “crumb rubber” – black pellets made from ground-up tires – on playing fields and playgrounds in recent years to obtain the advantages of all-season use and lower maintenance costs. However, a growing group of critics contend that the crumb rubber used in these fields is potentially dangerous to users. While multiple health studies by state and federal agencies have found no cause for concern, media stories have escalated perceived risks and prompted regulatory investigation.

To date, four such investigations are underway. The first to initiate an investigation was California's Office of Environmental Health Hazard Assessment (OEHHA), which is conducting a three-year study of crumb rubber focused primarily on how field use leads to exposure and on the components of crumb rubber. The OEHHA also recently requested that the National Toxicology Program (NTP) initiate short-term toxicology tests on crumb rubber infill. Last month, the NTP staff outlined their planned research for a second investigation during a June 15th meeting of the program's Board of Scientific Counselors. NTP staff announced that their planned studies include short-term in vivo and in vitro toxicology tests of crumb rubber material, but they have yet to determine appropriate routes of exposure and how to administer crumb rubber to lab animals and cells. The studies are expected to take up to 18 months.

The third investigation was jointly initiated by the Environmental Protection Agency (EPA), the Consumer Product Safety Commission (CPSC), and the Centers for Disease Control. At the request of two members of Congress, these agencies tasked the Agency for Toxic Substances and Disease Registry (ATSDR) with conducting the investigation. EPA and ATSDR are solidifying research plans for a pair of studies. One is intended to characterize field use conditions by recording field use and maintenance patterns at 40 synthetic turf fields spread across the United States. The second study aims to assess activities conducted on synthetic turf for the purpose of characterizing potential exposure patterns by surveying individuals who frequently use synthetic turf fields. The Synthetic Turf Council and other industry organizations have submitted comments to the ATSDR focusing on ways to ensure that the testing is scientifically accurate and based on actual field exposures and real health risks.

The fourth investigation is the result of the European Commission's (EC) recent request that the European Chemicals Agency (ECHA) assess whether substances in synthetic turf fields pose a risk to human health. According to the EC's request, “Risks to be evaluated should cover those resulting from dermal, oral (including from ingestion of rubber granules), and inhalation exposure to the relevant substances arising from the reasonably foreseeable use of synthetic turf in both, open air and indoor installations, by the general population (including children) and professionals.” The ECHA is expected to finalize its preliminary evaluation by January 2017 and their conclusion and findings should be made public in February 2017. FIFA – soccer's international governing body – has agreed to collaborate with the European investigation.

Despite the fact that multiple studies to date have found no evidence linking crumb rubber to adverse health effects, the crumb rubber debate is sure to continue while multiple regulatory agencies complete their evaluations. The Agencies will issue periodic

updates, status reports, and news releases that will likely generate additional media and keep the issue on the front burner for some time to come.

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