

Rep. Israel asks the Consumer Product Safety Commission to enforce limits on lead and other toxic substances

Report finds toys with illegal levels of lead and other hazards

Hauppauge, NY –Rep. Steve Israel (D-Huntington) is calling on the Consumer Product Safety Commission to increase enforcement of laws to protect consumers from dangerous toys. A new report from the New York Public Interest Research Group (NYPIRG) found toys with high levels of lead and other potentially dangerous substances. Rep. Israel asked for vigorous enforcement of the Consumer Product Safety Improvement Act, including halting production of injurious products.

“Parents should be able to shop for their kids without having to wonder whether a new toy might actually be toxic,” said Rep. Israel. “When as many as 180,000 children a year are being injured by toys, it’s time for better enforcement of laws to protect consumers.”

The NYPIRG report found 25 possibly dangerous toys with problems including high levels of lead and other dangerous substances, choking hazards, or toys so loud they could cause hearing problems for small children. The Consumer Product Safety Commission says as many as 180,000 children a year are injured by toys.

Rep. Israel has advocated on behalf of consumers, introducing legislation to label ingredients in household cleaning products and legislation to improve and standardize medicine cups.

The full text of Rep. Israel’s letter is below:

November 23, 2011

The Honorable Inez Tenenbaum
Chairman
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Dear Chairman Tenenbaum,

I am writing to express my concern regarding a recent report that dangerous or potentially toxic toys are still being found on American store shelves. We need to do our very best to protect our nation's children from harm this holiday season. Parents need to feel confident that the toys they are buying are safe. I am asking that the Consumer Product Safety Commission (CPSC) focus on the vigorous enforcement of the lead and phthalate limits in toys. Bad actors in violation of the Consumer Product Safety Improvement Act of 2008 (CPSIA) need to halt production of their injurious product immediately or they will be served the maximum civil penalty. I urge the Commission to ensure that the new third-party testing programs meet the Consumer Product Safety Improvement Act's high, but necessary standards.

According to the CPSIA and CPSC rulemaking, the limits on the amount of lead in children's products have been phased in over a three year period. Toy products in the United States that contain more lead than 600 ppm (parts per million) have been banned since February 10, 2009. By August 14, 2009, products intended for children 12 and younger could not contain more than 300 ppm of lead. And as of August 14, 2011, the limit was reduced to 100 ppm. However, a recent New York Public Interest Research Group report entitled "Trouble in Toyland" cited that they had found several toys that exceeded 100 ppm and even some that exceeded 300 ppm. The companies producing these toys need to be notified immediately that they are in violation and forced to stop producing these toys.

Since the passing of the Consumer Product Safety Act, I understand that the Commission has made a concerted and unprecedented effort towards removing all dangerous products from the marketplace. Recalls and lead violations are down, but as the Commission's website states, 180,000 child injuries per year is still too high. I applaud the Commission and the Chairman's efforts to bring the number of child injuries down, and the most effective way of doing so is by enforcing the CPSIA and using all the resources the law provides to the Commission.

The Commission needs to work quickly and effectively with all manufacturers and retailers to

make sure that they come into compliance with the new guidelines. The new provisions of the CPSIA will require greater time and attention from the Commission. The CPSIA was written with this in mind; which is why the law expands the Commission's resources. If businesses are unwilling to come into compliance or continue to violate the law, then the Commission needs to enforce the CPSIA's increased civil and criminal fines in order to keep dangerous products off our shelves. The Commission must actively and unsparingly use all of these new resources to fulfill its mission of shielding our citizens from harmful and unsafe products.

The safety of our children is too important to allow potentially harmful toys and products to be sold or purchased by unknowing consumers. The paramount concern is the health and safety of the children playing with the toys. However we also simply cannot afford the cost: property damage, death and injury from consumer product incidents cost our country \$900 billion dollars annually. These problems can both be rectified by the Commission's strict and vigorous enforcement of the CPSIA.

I appreciate your immediate attention to this matter. If the Commission has any questions, please contact Molly Ahearn on my staff at 202-225-3335. I look forward to hearing from you on this issue. Thank you.

Sincerely,

Steve Israel
Member of Congress