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September 8, 2009

The Honorable Joe Barton
Ranking Member

Dear Chairmen and Ranking Members:

I am writing in regard to the Committee hearing set for September 10, 2009 in which the Hon. Inez Tenerbaum, Chairman of the U.S. Consumer Product Safety Commission (CPSC), is scheduled to testify on the implementation of the Consumer Product Safety Improvement Act (CPSIA).

I am very disappointed that no small businesses impacted by the new law have been invited to share their experiences in testimony before the Committee. The business community has been actively calling for hearings since the passage of the CPSIA because of the draconian effects of the new law. Our family business makes educational products for schools and has an exemplary 25-year safety record because of our hard work to assure high quality and compliance with law. Yet the innumerable, onerous provisions of the CPSIA have had a devastating impact on our ability to conduct business. These issues need to be explored by the Committee based on the testimony of real companies suffering real pain.

The problems caused by the law are myriad. The overly broad definition of "children's products" swept in many products incapable of harming children from lead or phthalates. The CPSC itself has been hobbled by the CPSIA's strict new rules that prohibit risk assessment. The agency has no flexibility to exercise judgment and as a result, have issued impractical guidance and unworkable regulations. In addition, the exemption process under the law is both very limited and very expensive.

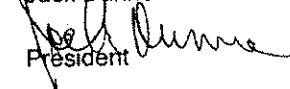
The severe penalties under the law are not scaring companies into compliance – they are shooing companies out of the market. Even the CPSC's own guidance to resale shops advises stores to consider the option to stop doing business in children's products.

The deck is stacked against small business under the new law. Ironically, while crafters are left to puzzle over how to "ascertain" co-hort information on their products, the new law awards a freebie to large businesses who seek to test their own products.

I strongly believe that the perspective of businesses like our company is essential to a complete picture of the problems caused by the CPSIA and its implementation. Thank you for your consideration of this important matter.

Sincerely,

Jack Dunne



President

Palos Sports

2010 NE 123rd Avenue
Vancouver, WA 98684-5500
September 5, 2009

The Honorable Joe Barton
Ranking Member, House Committee on Energy and Commerce
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Honorable Joe Barton,

I am extremely upset by the effects of the Consumer Product Safety Improvement Act of 2008 on small business and Native Americans. I'm the owner of a fledgling toy business. It's been my dream of twenty-five years, and just as I am in the process of achieving it, the over-reaching effects of the CPSIA are threatening it. As an American citizen and a dyed-in-the-wool Democrat, I'd like to believe that the negative fallout on such businesses as mine was unintentional, but I wonder when I see how that Mattel gets to test its own toys!

I'm just as concerned for the Native American cultures as for my own welfare. This law has put them at risk, along with every other ethnic culture whose children depend on custom clothing to participate in cultural events.

Traditional powwow, ceremonial and burial clothing for Native Americans is an important part of cultural activities. Every outfit made is intentionally one-of-a-kind, to reflect the family, clan and tribal heritage of the wearer. Clothing is an integral part of most cultural activities, and is a continuation of the ancient tradition of tribal members dressing in an identifiable manner.

Without community members and commercial regalia makers helping to dress our children, many children of busy working parents will be left sitting on the sidelines at cultural events. Many people who have previously made regalia for children have already stopped making it due to this law. So this legislation is already preventing Native American children from participating in cultural activities, thus hindering families and tribes from passing on their traditions to their children.

The Consumer Product Safety Improvement Act of 2008 requirements of expensive 3rd party testing and tracking of every "SKU" made for children under age 13 is financially infeasible for small businesses and custom clothing makers. The end result will be Native American Cultural Genocide on the level not seen since the days when children were forced to attend Indian Boarding Schools and punished for speaking their native tongues.

Unless this legislation is amended to allow raw material manufacturers to certify their products are safe to use in products for children, those of you who refuse to amend this flawed piece of legislation will be **PERSONALLY RESPONSIBLE** for destroying the very heart and soul of native cultures, and the very **FUTURE OF NATIVE AMERICA**.

I implore you to open the upcoming hearing to include testimony by representatives of the small business community. As a member of the Handmade Toy Association, I'm proud that its leaders have diligently studied all of the issues surrounding the CPSIA and have commonsense suggestions for improving this act. I implore you to hear them testify.

Sincerely,


Linda Moore Kurth

WALTHERS



September 4, 2009

The Honorable Joe Barton
Ranking Member

House Energy and Commerce Committee
2322A Rayburn House Office Building
Washington, DC 20515

Dear Representative Barton:

I am writing in regard to the Committee hearing set for September 10, 2009 in which the Hon. Inez Tenenbaum, Chairman of the U.S. Consumer Product Safety Commission (CPSC), is scheduled to testify on the implementation of the Consumer Product Safety Improvement Act (CPSIA).

It is critical that small businesses be given a voice in the discussion of how to implement this law. We are a family business selling toys and hobby products for over 77 years. We have an unblemished safety record over all of these years. This law has already created huge additional expenses caused by unnecessary testing, excessive paperwork, and the destruction of products that are NOT dangerous to children.

The innumerable, onerous provisions of the CPSIA have had a devastating impact on our ability to conduct business. These issues need to be explored by the Committee based on the testimony of real companies suffering real pain.

The problems caused by the law are myriad. The overly broad definition of "children's products" swept in many products incapable of harming children from lead or phthalates. The CPSC itself has been hobbled by the CPSIA's strict new rules that prohibit risk assessment. The agency has no flexibility to exercise judgment and as a result, have issued impractical guidance and unworkable regulations. In addition, the exemption process under the law is both very limited and very expensive.

The severe penalties under the law are not scaring companies into compliance – they are forcing companies out of the market. Even the CPSC's own guidance to resale shops advises stores to consider the option to stop doing business in children's products.

I strongly believe that the perspective of businesses like our company is essential to a complete picture of the problems caused by the CPSIA and its implementation. Thank you for your consideration of this important matter.

Sincerely,

J. Philip Walthers
President

JPW/riz

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Bright Products for Bright Minds™



September 4, 2009

The Honorable Joe Barton Ranking Member

I am writing to you with grave concern over the financial stability of my company and, more importantly, my industry and the tens of thousands of individuals employed in the Toy Industry. We expect about half of the Toy Industry will either stop doing business or will reduce the number of employees (we've already had to lay off two employees). This drastic measure is the direct result of current legislation and the ill (albeit - unintended consequences) affects of the Consumer Product Safety Improvement Act (CPSIA). I've copied, below, a letter from a trusted colleague. I believe it is self explanatory and accurately reflects my company's opinion...

I am writing in regard to the Committee hearing set for September 10, 2009 in which the Hon. Inez Tenenbaum, Chairman of the U.S. Consumer Product Safety Commission (CPSC), is scheduled to testify on the implementation of the Consumer Product Safety Improvement Act (CPSIA).

I am very disappointed that no small businesses impacted by the new law have been invited to share their experiences in testimony before the Committee. The business community has been actively calling for hearings since the passage of the CPSIA because of the draconian effects of the new law. Our family business makes educational products for schools and has an exemplary 25-year safety record because of our hard work to assure high quality and compliance with law. Yet the innumerable, onerous provisions of the CPSIA have had a devastating impact on our ability to conduct business. These issues need to be explored by the Committee based on the testimony of real companies suffering real pain.

The problems caused by the law are myriad. The overly broad definition of "children's products" swept in many products incapable of harming children from lead or phthalates. The CPSC itself has been hobbled by the CPSIA's strict new rules that prohibit risk assessment. The agency has no flexibility to exercise judgment and as a result, have issued impractical guidance and unworkable regulations. In addition, the exemption process under the law is both very limited and very expensive.

The severe penalties under the law are not scaring companies into compliance - they are shooing companies out of the market. Even the CPSC's own guidance to resale shops advises stores to consider the option to stop doing business in children's products.

The deck is stacked against small business under the new law. Ironically, while crafters are left to puzzle over how to "ascertain" co-hort information on their products, the new law awards a freebie to large businesses who seek to test their own products.

I strongly believe that the perspective of businesses like our company is essential to a complete picture of the problems caused by the CPSIA and its implementation. Thank you for your consideration of this important matter.

Sincerely,

Julio Plutt, President

**Andrea Friedman Sales
15 Taylor Road
New Milford, CT 06776
Ph: 860 350-2235
Fax: 860 350-2434
Andrea57@charter.net**

Sept. 7, 2009

**The Honorable Joe Barton
Ranking Member**

**The Honorable George Radanovich
Subcommittee Ranking Member**

Dear Chairman and Ranking Members:

I am writing in regard to the Committee Hearing set for Sept. 10 in which the Hon. Inez Tenenbaum is scheduled to testify on the the implementation of the CPSIA.

I am distubed that no representative of small businesses has been invited to share their testimony before the committee. Family businesses making educational products will be severely affected by this draconian law as well as many other small vendors.

The overly broad definition of "childrens products" has included many products that are not capable of harming children from lead or phthalates. The severe penalties are causing companies out of the market and they will no longer be able to make childrens products.

I believe you should allow small businesses to testify on their outlook of this important matter.

Sincerely,

**Andrea Friedman
Independent Sales Rep
Andrea57@charter.net**