

**Consumers Union
Consumer Federation of America * Kids in Danger
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Myths and Facts on CPSIA Implementation

In August 2008, the Consumer Product Safety Improvement Act was passed with overwhelming bipartisan support in Congress, signed by President Bush and enthusiastically backed by consumers, public interest organizations and industry representatives. In a publicly released statement, the Toy Industry Association (TIA) applauded the president's signing of the bill. Its president Carter Keithley said at the time: "With the health and safety of children our primary concern, the toy industry supports the creation of a uniform national standard for product safety and testing, upon which consumers across the nation can rely."

As TIA's Keithley stated, the new law added safety and testing requirements for consumer products, and children's products in particular, including the gradual elimination of lead and a ban of phthalates in toys and children's articles.

Myth: CPSIA deadlines were unrealistic and too short for businesses to comply.

Fact: CPSIA has built-in time for compliance and CPSC has repeatedly stayed enforcement of key provisions.

The law granted a six-month period for industry to ready their goods in compliance with the new ban on toxic chemicals in children's products. Compliance with the new lead standards and phthalates ban would begin on February 10, 2009. On the day President Bush signed the law, the Toy Industry Association said in a statement "Toy manufacturers and major retailers are already moving to conform to the legislation...."

Many other provisions, including tracking labels, lower lead limits and more didn't go into effect until a year after the bill was signed.

Myth: CPSIA provisions don't keep children safe, they simply make it harder to do business.

Fact: Implementation of CPSIA has reduced lead in children's products; removed dangerous phthalates from many toddler toys and ensured the children's products, including cribs, strollers and high chairs are tested for safety before they are sold.

Myth: Lead in toys isn't a problem anyway – the amount is so small it won't really hurt children.

Fact: According to the American Academy of Pediatrics, there is no safe level of lead exposure.

"Lead is potent neurotoxin that causes permanent, irreversible brain damage. Children and their developing brains are at special risks for the harm caused by lead, and those effects often have repercussions throughout the lifespan. There is no known "safe" level of lead for children. No study has determined a blood lead level that does not impair child cognition. Since any

measurable lead level causes lasting harm, prevention of exposure is the only treatment. Lead exposure is an important, unnecessary, and preventable poisoning.”

Lead poisoning is also cumulative, so the amount from a toy or lunchbox will add to lead the child has been exposed to in the environment, increasing the negative effects.

Myth: CPSIA has to be changed through additional legislation to address business concerns about expensive testing and exemptions of certain products.

Fact: CPSIA contains within its language the flexibility CPSC needs to address concerns and exempt products that don't pose a risk to children.

Business concerns that emerged due to the lack of CPSC guidance have developed into a full-blown demand for major changes to the law. However, the CPSIA does not need to be changed to address these concerns. Congress has included language in the CPSIA that already empowers the agency to provide exclusions for certain materials. The CPSC has the power **right now** to exempt certain materials from testing and certification requirements, to relieve those manufacturers who are in no danger of violating the new standards.

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