



PRESS RELEASE **February 9, 2009**
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Landmark Federal Ban on Phthalates in Toys Takes Effect

Parents, health advocates cheer; warn that proper implementation requires overhaul of Consumer Product Safety Commission leadership

Minneapolis, MN- The new federal law prohibiting the sale of some children's products with toxic chemicals takes effect on Tuesday. Passed towards the end of 2008 to restore consumer confidence in the nation's safety standards for toys, a provision of the Consumer Product Safety Improvement Act prohibits the manufacture and sale of children's products with lead and phthalates, plastic-softening chemicals linked to breast cancer, infertility and other health problems.

"Parents, grandparents, and the general public were appalled to learn that toys had dangerous levels of toxic chemicals so there was widespread support for new government standards to prevent harm to kids," said Deanna White, co-director of Healthy Legacy.

"It's a failure of U.S. chemical laws that allow the continued use of toxic chemicals in materials like paint and plastic that end up in children's toys. We need to detoxify the supply chain so that small manufacturers as well as consumers aren't caught holding a bag full of toxic products."

But incompetent implementation of the law by the Consumer Protection Safety Commission (CPSC) has alarmed small business owners and led to weakening this important step toward protecting children from toxic chemicals.

Without new safety standards, consumers may have stopped buying toys they feared contained toxic chemicals, threatening the viability of the entire toy and childcare product industry. Yet, the CPSC has mishandled implementation of the law by creating a climate of confusion. For example, concerns about testing from the thrift industry, libraries and small manufacturers who use natural materials, who were not the intended targets of the laws, had concerns that were not adequately addressed.

"At the same time," continued White "We support measures to minimize the economic impacts of the new protections for smaller U.S. manufacturers and retailers."

Minnesota is taking its own steps to address the issue of toxics in children's products.

Kathleen Schuler, co-director of Healthy Legacy, comments on the bill, “Minnesota legislators are addressing some of the concerns that have stemmed from the federal legislation. For example, the Toxic Free Kids Act only addresses new products and does not require toy testing. It is our hope that small businesses and toy makers can benefit from increased regulation, rather than taking on the burden.”

The House version, authored by Representative Kate Knuth, will be voted on in Tuesday’s Environment Policy and Oversight Committee and in the Senate version carried by Sen. Linda Scheid, in the Environment Committee on Wednesday, January 11th, 2009.

Healthy Legacy is a statewide public health coalition dedicated to safe products, made safely.
www.healthylegacy.org