

**Consumer Federation of America * Consumers Union
Kids In Danger * Public Citizen
National Research Center for Women & Families
Public Citizen * U.S. PIRG**

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**CPSC Data Show Safety Recalls Increased 22% Over Last Year
Leading Consumer Groups Urge Congress To Enact Strong Reforms Before Recess**

The number of recalls of toys and children's products is up 22% over the first half of last year, despite industry promises last year to solve the problems that made 2007 the "year of the recall," according to an analysis of Consumer Product Safety Commission data by the nation's leading consumer groups. The groups urged Congress to complete a "strong CPSC Reform Act" before the August recess.

In response to the recall of 45 million toys and children's products in 2007, the House and the Senate both passed strong CPSC Reform Acts granting the beleaguered agency new funding and authority to police imports and to ban lead in children's products. Final action on a conference committee report resolving differences, however, has been delayed by numerous industry requests for exceptions to the law, the groups said.

"Will Congress give ExxonMobil and the toy industry Christmas in July or will it guarantee America's littlest consumers a safe holiday season by finishing CPSC reform now?" said Ed Mierzwinski, U.S. PIRG Consumer Program Director.

The groups said that last week's action on establishing a public database of potential hazards was a major step forward, but that special interest lobbyists were standing in the way on the following key items described in the new report: "Total Recall: The Need for CPSC Reform Now."

Subjecting numerous toy hazards, including the small powerful magnets that have already killed one little boy, to the new law's centerpiece third party testing requirements.

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“It would be a tragic irony if a law passed to protect against toy hazards didn’t require toy hazard testing,” said Nancy Cowles, director of Kids In Danger.

Banning toxic chemicals known as phthalates from children’s products. The Senate version of the legislation included the Feinstein amendment, passed on the floor on a voice vote; the House bill has no similar provision. California and Washington State have already imposed similar bans, the groups said.

“It comes down to risks versus benefits. The risk is to our children’s health while the benefits go to ExxonMobil, which profits from phthalates,” said Dr. Diana Zuckerman, president of the National Research Center for Women & Families. She added, “The phthalate DINP must be included in the ban. It’s the one most widely used in toys.”

Ensuring product safety by ensuring that product safety whistleblowers have rights. The House bill is silent. The groups support inclusion of a Senate whistleblower protection provision, noting that the CPSC has a chilling “don’t talk, don’t publish” culture that stifles disclosure of critical safety information that is also at odds with numerous laws that Congress has enacted to protect whistleblowers in other sectors.

The groups also urged conferees to reject an eleventh hour proposal that would preempt states from regulating new third party testing procedures. The preemption provision is found in neither the House nor Senate-passed bills.

"Congress should never put an arbitrary cap on safety testing," said David Arkush, Director of Public Citizen's Congress Watch division. "States should be able to step in when the federal government doesn't do enough to protect the public from unsafe products."

The groups looked at the most recent available CPSC data for the report “Total Recall,” released today. In the first six months of 2008, according to analysis of available CPSC recall notices, 108 children’s products were recalled, including 45 for lead contamination and 10 for hazardous magnets. Of those 108 products, fifty-three toys have been recalled this year already, totaling 6.2 million units. Last year by June, there had been only 84 children’s product recalls, which included 31 toy recalls.

“The 22% increase suggests strongly that what the toy industry called “last year’s problem” remains very much today’s problem,” said Ami Gadhia, policy counsel for Consumers Union, “and points to the urgent need for Congress to finish action on the CPSC Reform Act.”

In June, conferees met and approved 21 generally non-controversial items. Last week, conferees approved nine more, including the establishment of the product safety database. In addition to the above remaining items, the groups also believe that a pending All-Terrain-Vehicle (ATV)

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amendment being proposed by the Senate must be improved if it is to be included in the final law. Other remaining items, such as negotiating the length in years of the CPSC reauthorization and its maximum budget authorization, are expected to be resolved favorably to consumers and safety.

The groups' other critical remaining concern is that final action be taken before the August recess, since the agenda for fall sessions of the Congress remains uncertain.

“We can't wait for more evidence of a broken product safety system, more recalls, or more potentially dangerous products ending up in our children's hands and mouths. Congress must protect our tiniest and most vulnerable consumers immediately,” concluded Rachel Weintraub, Director of Product Safety and Senior Counsel for Consumer Federation of America. “The time to finish is now, before Congress goes home for August recess.”

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For more information on the non-profit, non-partisan consumer and public health organizations that released this report, please visit their websites.

Consumer Federation of America (consumerfed.org); Consumers Union (consumersunion.org); Kids In Danger (kidsindanger.org); National Research Center For Women & Families (center4research.org); Public Citizen (citizen.org); U.S. PIRG (uspirg.org)