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Union of Concerned Scientists

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## **5<sup>th</sup> Anniversary of Consumer Product Safety Improvement Act: Five Safety Breakthroughs in Five Years**

*Safer products and tools for better consumer product decisions*

Washington, D.C. -- Consumer Federation of America (CFA), Kids In Danger (KID), Consumers Union (CU), the American Academy of Pediatrics (AAP), U.S. PIRG, Public Citizen, the Union of Concerned Scientists, and the Center for Effective Government mark the fifth anniversary of the passage of the Consumer Product Safety Improvement Act (CPSIA).

On August 14, 2008, the CPSIA was signed into law after a deliberative process and overwhelming bipartisan support in both the U.S. House of Representatives and the U.S. Senate. The law includes strong product safety reforms that revitalized the U.S. Consumer Product Safety Commission (CPSC).

In the five years since [CPSIA](#) was passed, there have been five significant safety breakthroughs:

- The SaferProducts.gov [database](#);
- Third-party premarket testing for children's products;
- The reduction of lead in children's products through [lower lead limits](#);
- Strong [mandatory standards for cribs and other infant and toddler products](#); and
- A mandatory safety standard for children's toys.

“The CPSIA represents the most comprehensive strengthening of product safety laws in a generation. The CPSIA gave new vigor to the U.S. Consumer Product Safety Commission. The agency now reflects consumer perception of what our nation's product safety net should be. Consumers are safer as a result of the CPSIA and its effective implementation,” stated Rachel Weintraub, legislative director and senior counsel at Consumer Federation of America. “Never in CPSC's history have more rules been promulgated and in such a short time period. These rules will have an important and positive impact on consumers.”

## **SaferProducts.gov Database**

The CPSIA created an important consumer incident database – SaferProducts.gov. This database was necessary because while the CPSC had historically collected consumer complaints, most were hidden from the public unless and until a recall was announced. This meant that too often, consumers were unwittingly using products that CPSC and manufacturers knew posed safety hazards.

Saferproducts.gov went live on March 11, 2011, and helps the CPSC identify trends in product hazards much more quickly and efficiently and helps consumers by creating a portal where reports about a harm or risk of harm associated with a consumer product can be reported. Consumers researching a particular product can search the database for hazards. The database now includes 15,517 reports.

“In the two years it’s been in existence, Saferproducts.gov already has been useful in identifying and recalling dangerous products from the market,” said Christine Hines, consumer and civil justice counsel at Public Citizen. “Now that the online database has become the tool for consumers to learn and report on product safety risks, the next step for its success is to ensure that more and more consumers become aware of it.”

## **Certain Children’s Products Are Tested for Safety before They Are Sold**

The CPSIA requires that children’s products subject to mandatory standards be tested to ensure compliance. Before the CPSIA passed, the numerous recalls of toys, cribs, and other children’s products demonstrated that these products didn’t have to meet strong safety standards and weren’t tested for safety before they entered the marketplace. The CPSIA fixed this flaw by requiring independent, third-party testing for products subject to mandatory standards.

Ami Gadhia, senior policy counsel for Consumers Union, the policy and advocacy division of Consumer Reports, said, “Before the CPSIA, most consumers incorrectly assumed that someone was looking out for them and ensuring that the products they bought their children were safe. But too many kids fell victim to unsafe products in their homes. Our children should not be the guinea pigs on whom the safety of a product is tested. The passage of the CPSIA was groundbreaking in that it required independent third-party test *before* these products are available on store shelves -- the best way to prevent unnecessary and costly deaths, injuries, and recalls.”

## **Low Lead Limits Have Been Established**

On the heels of dozens of recalls of toys and other children’s products tainted with lead, the CPSIA reduced the allowable level of the toxin in these products. Lead content in children’s products is now limited to 100 parts per million (ppm) and lead paint to 90 ppm. Lead is a potent neurotoxin that can cause permanent, irreversible brain damage, and children are especially susceptible to its effects. A child’s exposure to lead can result in lifelong harms, such as reduced IQ, learning disabilities, aggressive behavior, and serious and long-lasting effects on health and well-being. The Centers for Disease Control and Prevention (CDC) has affirmed the serious toxicity of lead in children by revising their lead guidelines downward. As a result, any child

with a blood lead level of more than 5 micrograms is considered at risk of lead poisoning, though CDC cautions that there is no "safe" level of lead.

“Thanks to the Consumer Product Safety Improvement Act, we're keeping lead and other toxins out of our children's toys and school supplies,” said Katherine McFate, President and CEO of the Center for Effective Government. “This law is just one of many examples of the way standards and safeguards protect us as we go about our everyday lives.”

“The Consumer Product Safety Improvement Act reflects in policy what pediatricians have understood for decades in practice: there is no safe level of lead exposure for children,” said AAP President Thomas K. McInerney, MD, FAAP. “The law’s improvements represent an important step forward in our ongoing efforts to protect children from the permanent and irreversible effects of lead poisoning, but we still have work left to do. Five hundred thousand U.S. children between the ages of 1 and 5 currently have lead poisoning, up from 77,000 in 2011 before the Centers for Disease Control and Prevention lowered its lead poisoning threshold. As we commemorate the law’s five-year anniversary today, these numbers urge us to renew our charge to create safer environments for our children, and celebrate the ways the law has helped to do just that.”

### **Strong Standards for Cribs and other Infant and Toddler Products Have Been Implemented**

The CPSIA required CPSC to issue mandatory safety standards for infant and toddler durable products. The Danny Keysar Child Product Safety Notification Act, which this provision is named, requires mandatory standards and testing for specific infant and toddler products, bans the sale, lease, or use in commercial settings of cribs that do not meet current safety standards, and requires manufacturers to include product registration cards with new products to facilitate notice of recalled products.

CPSC has already promulgated rules for full-size cribs and non-full-size cribs, play yards, bath seats, portable bed rails, infant walkers, toddler beds, and infant swings. These products must now meet new, robust mandatory standards. The crib standard that went into effect in June 2011 is of particular significance as it is the strongest crib standard in the world and offers our nation’s infants a safe sleep environment, which their parents have a right to expect.

For all of these products, third-party testing and certification requirements are mandatory. Two new standards will be added every six months. Danny’s Law also removed dangerous, non-compliant cribs from child care facilities.

“Danny’s Law assures parents that the products they buy to keep their children safe such as cribs, strollers, and high chairs, meet strong mandatory standards and are tested before they are brought into homes and child care facilities,” stated Nancy Cowles, Executive Director of Kids In Danger (KID), founded by Danny’s parents after his death in an unsafe portable crib. “And if there is a recall, product registration programs make it more likely they will learn about a recall before their child is injured.”

## **Toy Safety Standards Are Mandatory**

The safety of our children's toys was a main concern of the drafters of the CPSIA. The law made the existing voluntary toy standards mandatory, created a mechanism for CPSC to improve those standards if necessary, and required that toys be tested to ensure that the safety standards are being met.

“Making the toy safety standard mandatory means parents don’t have to play detective looking for sharp edge, dangerous projections, or small unseen parts. Parents can now have more confidence that the toys their children play with actually meet these critical safety standards,” stated Jenny Levin, Public Health Advocate with U.S. PIRG. “The CPSC and manufacturers have taken action on well over one hundred toy hazards identified in over twenty-five years of PIRG ‘Trouble In Toyland’ reports, but for too long many of those actions were slow or voluntary. The CPSIA’s new tools to ensure mandatory toy testing will protect children.”

“The law’s provisions not only helped consumers, they also improved the culture at the agency,” stated Celia Wexler, Senior Washington Representative with the Center for Science and Democracy, Union of Concerned Scientists. “The law’s new resources and emphasis on openness helped restore scientific integrity at the agency and respect for its scientists and the important work they do.”

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*The Consumer Federation of America is a nonprofit association of nearly 300 consumer groups that, since 1968, has sought to advance the consumer interest through research, advocacy, and education. [www.consumerfed.org](http://www.consumerfed.org)*

*Kids In Danger (KID) is a nonprofit organization dedicated to protecting children by improving children’s product safety. KID was founded in 1998 by the parents of sixteen-month-old Danny Keysar who died in his Chicago childcare home when a portable crib collapsed around his neck. [www.KidsInDanger.org](http://www.KidsInDanger.org)*

*Consumers Union is the policy and advocacy division of Consumer Reports, an expert, independent, nonprofit organization, whose mission is to work for a fair, safe, and just marketplace for all consumers. [www.consumersunion.org](http://www.consumersunion.org)*

*The American Academy of Pediatrics is an organization of 60,000 primary care pediatricians, pediatric medical subspecialists and pediatric surgical specialists dedicated to the health, safety and well-being of infants, children, adolescents and young adults. [www.aap.org](http://www.aap.org)*

*U.S. PIRG, the federation of state Public Interest Research Groups, is a consumer group that stands up to powerful interests whenever they threaten our health and safety, our financial security, or our right to fully participate in our democratic society. [www.uspirg.org](http://www.uspirg.org)*

*Public Citizen is a national, nonprofit consumer advocacy organization based in Washington, D.C. For more information, please visit [www.citizen.org](http://www.citizen.org)*

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