

Gov't agency vote means lower lead in toys

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(AP) -- The amount of lead allowed in toys and other children's products sold in the U.S. will soon be reduced to one of the lowest limits in the world. The move was praised by consumer advocates but denounced by critics worried about job losses and shuttered businesses.

In a 3-2 vote split along party lines, the Consumer Product Safety Commission cleared the way Wednesday for the limit to be lowered next month so that most products intended for children 12 and under will move from being about 99.97 percent lead free to 99.99 percent lead free.

Proponents say there's no known safe level of lead, which can cause irreversible brain damage, learning disabilities and other problems such as aggressive behavior.

Congress had asked the commission to decide whether there was some technological reason the limit couldn't be lowered. Commission Chairman Inez Tenenbaum, a Democrat, said there was "abundant evidence that it is technologically feasible." The other two Democrats voted with her.

After the vote, Tenenbaum said, "Consumers can rest assured that lead should be virtually nonexistent in toys and other children's products."

The Republicans on the commission, Nancy Nord and Anne Northup, criticized the decision - saying the amount of allowable lead is already very low, essentially trace levels. They said the commission failed to

undertake a solid review of whether all manufacturers, especially smaller domestic businesses, can make their products with the lower-lead level plastics, steel and other materials required as part of the new standard. Those materials are often more expensive, and the Republicans argued they may not be commercially available to all manufacturers.

"Just because a material is out there for a jet plane, doesn't mean that it's appropriate for a toy plane," Nord said during the two-hour debate.

Once the new standard takes effect Aug. 14, the total lead content allowed by weight in any part of a children's product will be no more than 100 parts per million, down from 300 parts per million.

Bigger manufacturers, such as Hasbro, have already been testing to the lower 100 ppm limit. And some retailers like Walmart began requiring suppliers to comply with the 100 ppm limit last year.

But smaller businesses have said it could mean job cuts or failed companies because of increased testing costs, more expensive materials and products that may have to be cleared from store shelves and thrown away on Aug. 14. The way the law was written by Congress, the lowered limit is retroactive. Legislation under consideration in the House may reverse that retroactivity.

Rick Woldenberg, chairman of Learning Resources, says smaller companies like his face obstacles.

"The standard is completely unyielding, unforgiving and detached from any concept of health," said Woldenberg, whose Illinois-based company makes educational materials and learning toys.

More than 98 percent of his product tests are below 100 ppm, he said. But one product may test just 1 part per million higher - and then an

entire line of product suddenly can't be sold and may not necessarily be any less healthy than a legal toy, he said.

Consumer advocates counter that there are plenty of studies that document the dangers of lead, especially in children.

"What this really comes down to is if it's possible to get the lead out, then the lead should be taken out," said Rachel Weintraub, director of product safety and senior counsel at the Consumer Federation of America. "When a consumer purchases a toy or a bouncy seat for their baby, they don't want their baby to be exposed to a potential neurotoxin."

A sweeping safety law passed in 2008 ushered in the strict limits on the amounts of lead and chemicals allowed in products intended for children. Congress passed it after a slew of recalls of millions of lead-tainted toys during the holiday season the previous year.

Canada has a lower lead content limit - 90 parts per million - for many products meant for very young children.

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