

July 30, 2008 - Rep. Slaughter Applauds Passage of Consumer Product Safety Improvement Act of 2008

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IMMEDIATE RELEASE

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Rep. Slaughter Applauds Passage of Consumer Product Safety Improvement Act of 2008

Washington, DC – Congresswoman Louise M. Slaughter (D-NY-28), Chairwoman of the House Committee on Rules, today joined colleagues today in passing the Consumer Product Safety Act (HR 4040), key legislation designed to protect American consumers from unsafe products.

“It’s absolutely imperative that we make sure the products coming into our homes are safe, especially children’s toys,” said Rep. Slaughter.

The act will ban lead beyond a minute amount in products intended for children under 12 years of age and prohibits the use of dangerous chemicals, in children’s toys and child care articles. It will also require independent third party testing and certification of children’s toys and products.

BACKGROUND

Last year, the Consumers Union dubbed the Year of the Recall. There were 45 million toys and children’s products recalled in 2007 – including Barbie accessories, Thomas the Tank

Engines, toy magnets, and lead-coated jewelry. Certain toys and children's products were found to contain nearly 200 times the legal amount of lead. This year, dangerous toy and product recalls are happening at an even swifter rate, with the number of recalls of toys and children's products up 29 percent over the first half of 2007.

This critically important bill will strengthen the ability of the Consumer Product Safety Commission (CPSC) to prevent dangerous toys from getting to market in the first place, get unsafe products off the shelves more quickly, and increase fines and penalties for violating product safety laws.

The bill will require publicly available and searchable database of on the safety of consumer products, provide state attorneys general with the ability to take appropriate actions against toys and manufacturers that are alleged to violate current law, establish strong safety standards for all terrain vehicles (ATVs), as well as provide whistleblower protections for employees of manufacturers, private labelers, retailers, and distributors with respect to alleged violations of Consumer Product Safety Commission (CPSC)-enforced product.

Congresswoman Slaughter played a crucial role in negotiating to make sure the following provisions were included in the legislation:

- Mandatory standards for testing toys for potential hazards without undercutting the authority of the states to monitor these standards;
- Ban any specific phthalate implicated by sound scientific evidence that suggest harmful effects to children; and
- Establish strong safety standards for all terrain vehicles (ATVs), including both domestic and imported models.

The following is an overview of certain key provisions of the conference report, provided by the Energy and Commerce Committee.

- Bans lead beyond a minute amount in products intended for children under 12 years of age.
- Prohibits use of dangerous phthalates in children's toys and child care articles.
- Mandates pre-market testing by certified laboratories of children's products for lead and for compliance with a wide range of safety standards.
- Requires manufacturers to place distinguishing marks on products and packaging to aid in recalls of products.
- Requires CPSC to provide consumers with a user-friendly database on deaths and serious injuries caused by consumer products.

- Strengthens protections against import and export of dangerous products, prohibits the sale and export of recalled products, improves public notice for recalls, and enhances tools for removing recalled products from store shelves.

- Bans 3-wheel all terrain vehicles (ATVs) and strengthens regulation of other ATVs, especially those intended for use by youth.

- Ensures that CPSC effectively shares information with State public health agencies.

- Bans industry-sponsored travel by CPSC Commissioners and staff, and authorizes a travel budget to address problems raised by the increasingly global market for consumer products.

- Restores the five-Member Commission, authorizes significant budget increases, and provides expedited rulemaking.

- Enhances national product safety enforcement by authorizing injunctive enforcement of federal law by State Attorneys General, preserving State common law causes of action and California's Prop 65 warning requirements.

- Provides whistleblower protections for private sector employees regarding alleged violations of any CPSC-enforced product safety requirements.

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