

Lead-Testing Requirement Delayed

Washington—The Consumer Product Safety Commission (CPSC) announced that a new lead-testing requirement will be delayed and Congress passed the Consumer Product Safety Improvement Act. Among other things, the law limits the amount of lead allowed in children’s products.

Lead is highly toxic and poses great danger to children. Lead poisoning can harm nerve development, cause brain and kidney damage, and even result in death.

For many years, lead has been banned in house paint and paint on toys. Manufacturers long ago agreed to remove it from toys. Recently, however, lead has been discovered in children’s products, many (but not all) manufactured in China. Highly publicized product recalls resulted. An estimated 30 million toys and 15 million other children’s products were recalled in last year alone. This crisis prompted Congress to investigate the problem and pass the new law.

The act requires manufacturers, importers, and stores to remove lead from products made for children age 12 and younger (clothing, toys, books, games, etc.). It further requires them to prove that the products have been tested for lead content. The law also gives CPSC the power to issue regulations to enforce and clarify the law. Violators of the law can receive civil and criminal penalties.

Created by Congress in 1972, CPSC is an independent agency with the mission of protecting the public “against unreasonable risks of injuries associated with consumer products.” About 400 employees work at CPSC.

The law’s testing requirement was to begin last year. But CPSC received complaints about the high cost of testing. Thrift stores and people making handmade products for children expressed doubt that they could comply with the law. One protester even set up a web site called National Bankruptcy Day. It referred to the deadline as the day many small businesses would go under. Many libraries also voiced concerns that they would have to remove all children’s books from their shelves.

CPSC posted guidelines on the law. It exempted thrift stores from testing. It also exempted testing products with no history of lead contamination, such as cotton clothing and children’s books made after 1985. Most important, it delayed all testing for a few years.

Those supporting the delay include groups representing toy stores, makers of handmade toys and children’s products, and clothing companies. None favors getting rid of the law entirely. But a columnist for *Forbes*, a business magazine, called for its repeal or drastic revision. He argued that “although it is surely useful to ban lead in paint on toys, in this case the risk was not sufficient to justify a major emergency bill with ill-thought-out and costly provisions.”

Environmental, children’s health, and consumer groups oppose the delay. An environmental consultant said: “Try telling a mother whose child was poisoned by a toy containing lead that we need another year to figure this out.”