# TROUBLE IN TOYLAND

*The 27th Annual Survey of Toy Safety*

November 2012

MoPIRG Foundation

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## *The 27th Annual Survey of Toy Safety*


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# Acknowledgements

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*Cover design by: Alec Meltzer*

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# Executive Summary

The 2012 Trouble in Toyland report is the 27th annual U.S. Public Interest Research Group (PIRG) survey of toy safety. In this report, U.S. PIRG provides safety guidelines for consumers when purchasing toys for small children and provides examples of toys currently on store shelves that may pose potential safety hazards.

Over the past twenty-seven years, the U.S. PIRG report has identified hazards in toys and children's products that could cause acute injuries, from small parts that pose a choking hazard, to strangulation hazards from cords on pull toys, to laceration hazards from edges that are too sharp, to toxic hazards posed by chemicals in toys. Our report has led to at least 150 recalls and other regulatory actions over the years, and has helped us educate the public and policymakers on the need for stronger public health and consumer safety standards and for stronger federal laws to protect children from unsafe products. This report continues to be an important endeavor in keeping children—particularly babies and toddlers—safe, as the majority of all injuries happen to children in the 0-2 age range.[1]

The enactment of the Consumer Product Safety Improvement Act (CPSIA) of 2008 made great strides in toy safety and strengthened the ability of the Consumer Product Safety Commission (CPSC) to protect consumers, including the littlest consumers—children. Although policymakers delayed implementation of its most stringent lead standard rules and enacted some narrow exceptions in 2011, on the whole the law has been protected from attempts to undermine it. However, we remain vigilant as a variety of regulatory threats to the CPSC's tools and authority remain under consideration by policymakers.[2]

## We Looked For Common Hazards in Toys

We visited numerous national toy stores, malls and dollar stores in September, October, and November 2012 to identify potentially dangerous toys. Our researchers examined the CPSC notices of recalls and other regulatory actions to identify trends in toy safety. Our investigation is focused on toys that posed a potential toxic, choking, strangulation or noise hazard.

## Our Key Findings Include:

### Lead Continues to be a Hazard in Toys

Exposure to lead can affect almost every organ and system in the human body, especially the central nervous system. Lead is especially toxic to the brains of young children and can cause permanent mental and developmental impairments; it has no business being in children's products.

The current federal legal lead standard is 100 parts per million (ppm), though the American Academy of Pediatrics recommends a lead limit of 40 ppm. We found one toy that violates the CPSC's lead standard of 100 ppm.

### Phthalates in Toys

Numerous studies have documented the potential health effects of exposure to phthalates in the womb or in child development. U.S. EPA studies show the cumulative impact of different phthalates leads to an exponential increase in harm including premature delivery and reproductive defects.

The CPSIA permanently banned three phthalates from use in toys, and set temporary limits on three others, while tests continue. No toy or child care article can contain more than 1000 ppm of each of the six phthalates. Washington State has a stronger disclosure law than the federal standard, requiring the disclosure of any detectable level of phthalates.

## Magnets in Toys

This year we are highlighting the continued dangers that magnet toys, such as the Buckyball magnets that are the subject of a CPSC court action, pose to children. These magnet toys are made with neodymium iron boron magnets. The magnets are extremely strong and can severely pinch fingers; worse, they can cause severe internal damage if swallowed. CPSC staff have estimated that between 2009 and 2011 there were 1,700 emergency room cases nationwide involving the ingestion of high powered magnets. More than 70% of these cases involved children between the ages of 4 and 12.

We found ellipsoid toy magnets that nearly fit in the small parts cylinder, and are classified as a novelty "finger-fidget" toy. These magnets are smooth and shiny and sold in pairs; striking them together causes them to vibrate and produce a singing sound, making them appealing to children. CPSC has reported gastroenterological injuries associated with ellipsoid magnets.[3] If the magnet had fit in the small parts test cylinder, it would be banned for sale to children under 14. These, instead, were labeled "4 and up."

## Choking Hazards

Choking—on small toy parts, on small balls, on marbles and on balloons—continues to be the major cause of toy-related deaths and injuries. Between 1990 and 2011, over 200 children died from choking incidents.

This year we found several toys that contained small parts or "near small part" toys. The toys containing small parts contained improper labels and might be mistakenly purchased for children under 3. The toys containing near small parts support our long term principle that the small parts test should be made more protective by making the test cylinder larger.

We found small cars that included small parts, such as rubber traction bands on their wheels. Although the toy includes a statutory choke hazard warning and is labeled 4+, the tiny label may violate CPSC hazard warning rules.

We also found several dollar store toys, such as a small bowling ball and pin toy set with missing, obscured or tiny choke hazard warning labels. We also found some toy foods including both near small parts and other rounded ball-like foods that would fail the small ball test although they are technically subject to the less-stringent small parts test. Toy foods poses a special hazard, because they look to small children like something that should be eaten. Round toy food should be tested as if it is a ball, but the CPSC interprets the law differently.

## Noisy Toys

Research has shown that a third of Americans with hearing loss can attribute it in part to noise.[4] The third National Health and Nutrition Examination Survey showed that one in five U.S. children will have some degree of hearing loss by the time they reach age 12. This may be in part due to many children using toys and other children's products such as music players that emit loud sounds.[5] The National Institute on Deafness and Other Communication Disorders advises that prolonged exposure to noise above 85 decibels will cause gradual hearing loss in any age range.[6]

We found two toys, a car driving wheel on a console and a toy guitar, on store shelves that exceeded the recommended limit for continuous exposure of 85 decibels. We also found one close-to-the-ear toy, a key chain, that exceeded the 65 decibel limit when measured with a digital sound level meter.

## Recommendations for Policy Makers

- Policymakers must ensure that the Consumer Product Safety Commission (CPSC) is given the resources it needs to effectively protect consumers.

- Policymakers must also continue vigorous oversight of implementation and enforcement of the new law.

- Policymakers should require manufacturers to provide all hazard and health-impact information to the state and federal government so agencies can begin to assess the thousands of chemicals currently on the market for which little or inadequate data are available.

- There is overwhelming evidence showing that the Toxic Substances Control Act is failing our most vulnerable consumers: pregnant women, babies and children. Policymakers should take steps to ensure that the American people are better protected from toxins in products.

- Policymakers should reject well-funded special interest efforts to weaken the ability of regulatory agencies to conduct rulemakings or enforce rules designed to protect public health and safety.

## For the Consumer Product Safety Commission

- The CPSC should review and, where necessary, expand its definition of a "small part" or "small toy" to include parts and toys that are larger than the current standard, but have been shown to pose a choking hazard to children.

- The CPSC should re-start its canceled rulemakings to regulate cadmium limits in children's jewelry.

- The CPSC should continue to proceed with rulemaking to regulate hazardous magnets in toys.

- The CPSC should vigorously enforce lead and phthalate limits in toys. The CPSC should also move to using the lead standard of 40 ppm recommended by the American Academy of Pediatrics.

- The CPSC must ensure that new third-party testing programs meet CPSIA standards. As the CPSC continues to implement its new publicly accessible toy and other product incident database at www.saferproducts.gov, it must ensure that it provides the information consumers need to make informed choices in the marketplace.

## For Consumers

Be vigilant this holiday season, and remember:

- The CPSC does not test all toys, and not all toys on store shelves meet CPSC standards.

- There is no comprehensive list of potentially hazardous toys. Examine toys carefully for potential dangers before you make a purchase. Shop with U.S. PIRG's Toy Safety Tips available at www.toysafety.mobi and on our website.

- Parents should continue to be vigilant about metals in toys as they may contain lead or cadmium above the mandatory safety limits. The Centers for Disease Control (CDC) recommends that all children be screened for exposure to lead. A simple and inexpensive blood test can determine whether or not a child has a dangerous level of lead in his or her body. The test can be obtained through a physician or public health agency.

- Report unsafe toys or toy-related injuries to the CPSC at www.cpsc.gov and www.saferproducts.gov or call the CPSC at 1-800-638-2772.

# Introduction

Toys should entertain and educate children, but poorly designed and constructed toys can cause injury and even death. In 2007, children's product recalls reached an all-time high with 231 recalls of 46 million toys and 15 million other children's products.[7] Twelve of the recalls involved more than one million units, causing the media and Consumer Reports to dub 2007 the "Year of the Recall." Popular toy manufacturers, such as Mattel, were forced to recall millions of units due to violations of existing limits on lead or dangerous small parts.

The CPSIA was the first major overhaul of the CPSC since the early 1970's. The CPSIA expanded the CPSC budget, gave it explicit tools to hold toy manufacturers accountable and speed up recalls, and moved toward banning certain toxic chemicals in toys and children's products. The act also greatly improved import surveillance, which is vital since we import toys from all over the world including from countries where consumer safety regulations and public health standards are not as rigorous as ours.

Over the past four years, provisions of the CPSIA have begun to take effect. The law's restrictions on lead and phthalates began to take effect in February 2009 and final lead limits took effect in 2011. Additionally, part of the groundbreaking legislation required the creation of a new consumer complaints website, www.saferproducts.gov, which went live in March 2011. This website continues to be an invaluable resource to parents and caregivers as it allows them to provide reports on incidents affecting their own families or to review incidents involving thousands of toys and other products that may be hazardous.

U.S. PIRG is committed to safeguarding America's youngest consumers. Our 27th report comes at a time when toy and product safety is being threatened by potential rollbacks to consumer safety regulations and public health protections. The saferproducts.gov database faces legal as well as political assaults.[8] In October, a U.S. judge issued a ruling that "Company Doe," the firm suing to prevent the CPSC from posting a report on saferproducts.gov about a consumer injury allegedly related to its product, could remain anonymous, even as several consumer groups seek to unseal the record.[9] Further, policymakers are considering even broader proposals that may eat away at our consumer and public health safety standards and require the CPSC to conduct unnecessary and duplicative cost-benefit analyses which will slow down development of consumer safety standards.

This report is a continued progress report on the implementation of the Consumer Product Safety Improvement Act and an examination of the marketplace and recalls for common hazards.

# Toxins in Children's Products

Industrial chemicals and toxins have been incorporated into millions of products that are used every day. We are exposed to them through industrial pollutants in the air, pesticide residues in foods, heavy metals in drinking water and chemicals in consumer products. On any given day, people are exposed to a wide array of chemicals and toxins either sold by or created as byproducts of the $1.5 trillion global chemical industry. Since 1999, the CDC has measured 219 chemicals in people's blood or urine through their biomonitoring project. In toys the leading toxins that can be found and are harmful to children are lead, cadmium and phthalates.[10]

## Lead in Children's Products

Lead is a toxic substance and was banned in house paint, in products marketed to children, and in dishes or cookware in the United States in 1978[11]. Lead is invisible to the naked eye and has no smell, but it can cause IQ deficits, attention deficit hyperactivity disorder and deficits in vocabulary, fine motor skills, reaction time, and hand-eye coordination. Practically all children in the United States are at some point in their lives exposed to lead. At high levels, lead can cause permanent brain damage and death.[12]

### Lead in Toys

Lead is widely used in other countries and can be found in imported toys. It is used to soften plastic and make it more flexible, but when the plastic is exposed to sunlight, air, and detergents, the chemical bond between the lead and plastics breaks down and forms a dust, which children can inhale. A common source in toys is lead paint. Children eat or swallow chips of paint, which increases their risk of exposure to lead. Lead can also be found in jewelry, metal toys and even books and lunch bags.[13]

To reduce these risks, the CPSC issues recalls of toys that could potentially expose children to lead.

- In 2007 and 2008, iconic toys like Curious George and Thomas the Tank Engine were recalled.
- In 2011, the CPSC recalled 26,000 lapel pins from the popular brand Build a Bear, part of 200,000 units of toys recalled for lead[14].
- In our 2011 report, U.S. PIRG found a toddler book that exceeded the lead limit at 720 ppm and another toy that contained 3700 ppm.
- In January 2012, the CPSC recalled 7,000 packs of Mexican Wrestling Action Figures for having too much lead in the surface paint. As recently as September 27, 2012, roughly 6,970 Captain Cutlass Pirate Toy Guns were recalled for the same reason.[15]

### Federal Standards for Lead

Under the Consumer Product Safety Act, and since the 1970s, regulations had banned paint containing lead in concentrations of greater than 600 parts per million.[16] Prior to enactment of the CSPIA in 2008, the Federal Hazardous Substances Act enabled the CPSC to consider products, such as metal jewelry, as "hazardous substances" if they contained toxic quantities of lead.[17]

The Consumer Product Safety Improvement Act of 2008 was modified by 2011 amendments and set the following phase-out schedule for lead in toys and children's products:

- **February 2009:** Toys and children's products containing lead in excess of 600 parts per million (ppm) became banned hazardous substances. After this date, these products cannot be manufactured, imported for sale or sold.

- **August 2009:** The maximum allowable amount of lead in paint and surface coatings decreased from 600 ppm to 90 ppm. After this date, these products could no longer be manufactured, imported for sale or sold.

- **August 2009:** Toys and children's products containing lead in excess of 300 ppm became banned hazardous substances. After this date, these products could no longer be manufactured, imported for sale or sold.

- **August 2011:** Toys and children's products containing lead in excess of 100 ppm are now banned hazardous substances. These products can no longer be manufactured or imported for sale. However, existing inventories that meet the 300 ppm standard can be sold.

This final limit does not meet the recommendations made by the American Academy of Pediatrics (AAP). They recommend all products intended for use by children contain no more than trace amounts of lead. The AAP defines a "trace" amount of lead as no more than 40 ppm, which is the upper range of lead in uncontaminated soil.[18]

## Findings: Lead

This year, we found one toy that contained 180 ppm of lead, exceeding the 100 ppm lead standard. We also found several other toys with lead content ranging from 40 ppm to 100 ppm. Although these toys are legal, they do exceed the PIRG-backed American Academy of Pediatrics' recommended limit of 40 ppm.[19]

## Recommendations: Lead

Lead-tainted children's products should never end up on store shelves or in the home. The CPSC should continue to vigorously enforce the CPSIA's bans on lead and lead paint in any toys, jewelry or other articles for children under 12 years.

# Phthalates in Children's Products

Phthalates are a group of chemicals used to soften and increase the flexibility of plastic and vinyl. The polyvinyl chloride (PVC) plastic industry uses large amounts of phthalates as additives to improve the flexibility of products, such as home siding, flooring, furniture, food packaging, toys, clothing, car interiors, and medical equipment, including IV bags. Phthalates are also used in personal care products such as soap, shampoo, deodorant, hand lotion, nail polish, cosmetics, and perfume, as well as industrial products like solvents, lubricants, glue, paint, sealants, insecticides, detergent, and ink.[20]

Phthalates are pervasive in the environment and in human bodies. In 2000, the Centers for Disease Control and Prevention (CDC) found high levels of phthalates and their transformation products (known as metabolites) in every one of 289 adult Americans tested, including women of childbearing age.[21] A larger CDC

study in 2003 again found high levels of phthalates in almost every person tested.[22]

### Phthalate Exposure Linked to Health Effects

EPA studies show the cumulative impact of different phthalates leads to an exponential increase in associated harm. According to data from the CDC, levels of phthalates found in humans are higher than levels shown to cause adverse health effects. The data also show phthalate levels are highest in children. Research has documented the potential health effects of exposure to phthalates in the womb or at crucial stages of development, including (but not limited to):

- **Reproductive Defects**. Scientists have demonstrated links between exposure to phthalates in the womb and abnormal genital development in baby boys and disruption in sexual development.[23]

- **Premature Delivery.** A study published in November 2003 suggests a link between exposure to phthalates and pre-term birth.[24]

- **Early Onset Puberty**. One study found levels of di(2-ethylhexyl) phthalate (DEHP)—one of three phthalates permanently banned by the 2008 CPSIA—were seven times higher in girls that had signs of early onset puberty.[25]

- **Lower Sperm Counts**. A 2003 study showed men who had monobutyl or monobenzyl phthalate in their urine tended to have lower sperm counts, with the highest concentrations leading to the lowest sperm counts.[26]

### Federal Standards for Phthalates

Effective February 10, 2009, Section 108 of CPSIA banned three phthalates (called DEHP, DBP and BBP) at levels greater than 1,000 ppm. The law also established an interim ban on three other phthalates, DINP, DIDP and DNOP, in toys and children's articles. In August 2011, Congress modified the bans slightly to provide an exception for inaccessible parts.

The interim ban on DINP, DIDP and DNOP continues while a scientific review is completed by a Chronic Hazard Advisory Panel. We are currently awaiting the Chronic Hazard Advisory Panel's decision, which is expected to be made shortly.

The same six phthalates have been banned in European toys for nearly 10 years, and other countries, including Argentina, Japan, Israel and Mexico have also banned phthalates from children's toys. In addition, states have enacted stronger regulations. Washington, Vermont and California have more broadly restricted phthalate use in toys and childcare products.[27] As of January 1, 2012 all manufacturers, importers, and private labelers of children's toys and certain child care articles are required by law to be subjected to third party testing for phthalates under CPSIA.

## Finding: Phthalates

This year we did not find any toys that exceeded the federal phthalates limits. We did find one children's product with 320 ppm of Di-n-butyl phthalate (DBP) and a keychain with measurable levels of Bis(2-ethylhexyl) phthalate (DEHP). These levels do not exceed the federal limits. However, these toys do meet disclosure requirements under Washington State law which necessitates disclosure of any measurable phthalate levels.

## Recommendations: Phthalates

The CPSC should vigorously enforce the CPSIA's ban on the use of phthalates in all toys and children's products that are "physically exposed" to a child and continue to monitor use of phthalates in components of children's toys and products. The interim ban on DINP, DNOP, and DIDP should also be made permanent.

# Cadmium in Children's Products

Cadmium is a heavy metal that many analysts believe has replaced lead as a "go-to" additive in children's jewelry. The U.S. toy jewelry industry saw 6 recalls in 2010 because of the unacceptably high levels of cadmium in their products. Consumer groups also took retailers and suppliers of children's jewelry and toy jewelry to court to set strict limits on cadmium.[28] After the CPSC warned that it would proceed with mandatory rulemakings on cadmium levels in children's jewelry and children's toy jewelry,[29] the U.S. jewelry industry, in cooperation with the testing body ASTM International, issued a statement in November 2011 on ASTM's new voluntary cadmium standard. Under the CPSIA, the CPSC does have authority to enforce voluntary standards set by bodies including ASTM.

Cadmium, like lead, is a metal that occurs naturally in soil, water, air, and dust. It does not have a smell, which makes it difficult to identify. Most humans are exposed to low doses of cadmium and feel or see no effects. However if the body is exposed to high levels of the metal over time it can cause bone pain and fractures. Cadmium is a known carcinogen that, like lead, can delay brain development in young children, leading to learning disabilities. Research also shows that long-term exposure can cause kidney problems.[30] It is common for young children to mouth and bite toys and jewelry and these habits expose children to higher doses of cadmium.

A recent study showed that young children who mouth or swallow jewelry containing cadmium may be exposed to 100 times the recommended maximum exposure limit for the toxic metal. The study also measured bioavailability—a measure of how much cadmium leached out of jewelry—and found that damaged pieces of jewelry in some cases leached up to 30 times more cadmium than undamaged pieces.[31]

Our investigators bought several items of toy jewelry and an outside lab tested them for cadmium. We did not find any toys or jewelry that exceeded the voluntary limits for cadmium.

## Federal Standards for Cadmium

Until recently there were no strict federal standards or regulations for cadmium in children's toys and products. In January 2010 an article by the Associated Press found that there were dangerously high levels of cadmium in children's jewelry.[32] After five recalls of children's jewelry containing cadmium over the next three years, the following actions occurred:

The non-profit Center for Environmental Health (CEH) initiated legal action on February 2010 against 26 retailers including The Gap and Target for selling products with high levels of cadmium. The legal action was successful and on September 2nd, 2011, all the retailers agreed in a settlement to only sell products that have less than 0.03% (300 ppm) cadmium in jewelry and children's toy jewelry.[33]

States began enacting laws to protect their citizens against cadmium. California and Maryland's laws are rigorous. A handful of other states have passed laws, have considered laws, or have efforts pending.[34]

On September 6th, 2011, the CPSC granted a petition from the Center for Environmental Health, the Sierra Club and other groups and voted to proceed with mandatory rulemakings to regulate cadmium levels in children's jewelry and toy jewelry using the standards stipulated in the legal action taken by CEH, unless the jewelry industry cooperated with the standards body ASTM International to publish new and improved voluntary standards within three months of that date.[35]

In response on November 1st, 2011, the ASTM F 15.24 Subcommittee on Children's Jewelry approved a voluntary standard of 300 ppm for cadmium levels in toy jewelry, to be determined through a solubility test for heavy metals that is defined in the ASTM F-963 standards for toys.

On December 11, 2011, the ASTM F963-11 toy standard was updated to add an additional cadmium requirement for metal objects that fit within the small parts cylinder.

Consumer groups prefer the state laws and CEH settlements to the ASTM standard, because most of the state laws have stronger "total content" limits for cadmium instead of solubility tests. When the states use solubility tests (as in the state laws in Minnesota and Illinois), they use a more stringent 75 ppm standard rather than the ASTM solubility standard of 300 ppm.[36]

Yet, despite all these actions, progress has slowed in 2012. This year, the Associated Press and other news agencies have reported on the CPSC's failure to prevent the sale of cadmium-tainted children's products. Overwhelmingly, the stories say, the agency has sided with industry on whether or not to recall toys exceeding the cadmium limits.[37]

Then, on October 3, 2012, the CPSC voted unanimously to terminate the environmental petition urging the establishment of content limits for cadmium in children's jewelry and children's toy jewelry. The Commission argued that the ASTM F963-11 and ASTM F2923-11 standards for children's jewelry and children's toy jewelry adequately provide protection from harmful cadmium levels and ended its rulemaking proceeding.[38]

Companies have argued that the products in question don't break the cadmium limits, because the products aren't intended for children and there are no cadmium regulations on adult products. In instances where companies such as Wal-Mart, Meijer, and other chains pulled products from their shelves, they have not been required to release statements informing the public on the grounds that the actions were taken voluntarily. Without an announcement or recall, this leaves harmful already-purchased jewelry and toys in the hands of children.

## Recommendations for Cadmium:

The CPSC should reinstate rulemaking proceedings to establish stronger mandatory guidelines for limits for cadmium in children's jewelry, toy jewelry and adult jewelry and continue stringent surveillance at ports and retail stores.

## Magnet Toys and Jewelry

Small but powerful magnets used in various toys, magnetic building toys and magnetic jewelry have come under scrutiny in past toy reports. Many magnet toys on the market today use powerful neodymium iron boron (NIB) magnets which have increased in popularity with toy manufacturers as they have become readily available from Chinese exporters. They are commonly used in magnetic sets and magnetic office toys and jewelry, especially earrings and bracelets. They are also appearing in dollar store toys. The NIB magnets used in these toys are often the size of unpopped popcorn kernels. Slightly larger NIB magnets are so strong they can severely pinch fingers and other body parts.

If swallowed, one magnet may pass through the digestive system without incident. If two or more magnets are swal-

lowed, however, they can attract each other in the body. If one magnet is in the stomach and another is in the small intestine, for example, they can cling together and quickly work their way through tissue, perforating the wall or creating a hole. Two or more magnets attracted to each other in the intestine can create a bowel obstruction or perforation. Using MRIs to diagnose the problem is very dangerous, since the magnetic fields used in imaging could tear the magnets through tissue if they are present.[39]

In August 2012, the CPSC filed suit to stop the company that distributes the popular Buckyballs magnets from selling the product. In October, due to pressure from public health and consumer advocates, Maxell and Oberton decided to discontinue the Buckyball series.[40]

Hazardous magnets are a product that consumer advocates have been concerned about for years. In its lawsuit on Buckyballs the CPSC argues that warnings alone are not effective. Once the magnets are removed from their carrying cases or packets and shared among children, the warnings are completely forgotten. Children who are sharing the magnets at school may not know there are warnings on how to use them. The CPSC was finally compelled to file the lawsuit because Maxfield and Oberton, the manufacturers of Buckyballs, refused to voluntarily recall the powerful magnets. They know about the dangers these magnets pose to children, but cleverly market them as a desk toys for adults.

There is no doubt that these magnets are dangerous. Since 2009, at least a dozen magnet ingestion cases have involved Buckyballs and some required surgery, including a 4-year-old boy who ingested three Buckyballs that he thought were chocolate candy. Maria Oliva-Hemker, M.D., Chief of the Division of Pediatric Gastroenterology and Nutrition at Johns Hopkins University School of Medicine, said some children have lost substantial parts of their small bowel by swallowing Buckyballs-type magnets. "We know of cases where you can have an entire string of these magnets hooking together in the intestines," she said.

Also just this January, a fifth grader in Virginia pretending to have a tongue piercing - something many middle school children use these magnets for—accidentally swallowed two of them. This resulted in five days at Inova Fairfax Hospital, at least ten X-rays, three CT scans and an endoscopy. Finally, a surgeon used a metal instrument to manipulate the magnets into her appendix, avoiding major surgery. He then removed her appendix and the magnets.

CPSC staff have estimated that between 2009 and 2011 there were 1,700 cases treated in hospital emergency rooms nationwide involving the ingestion of high-powered magnets. More than 70% of these cases involved children between the ages of 4 and 12.

This year we continue to find dangers from magnet desk toys similar to Buckyballs. This year we found ellipsoid "snake eggs" magnets that nearly fit in the small parts cylinder and are sold in pairs. They are not a construction toy and are classified as a novelty "finger-fidget" toy. They are smooth and shiny and striking them together causes them to vibrate and produce a singing sound, making them appealing to children. The CPSC asserts that there have been gastroenterological injuries associated with ellipsoid magnet toys. Its memorandum implies that even smaller "snake eggs" magnets that fit within the small parts choke tube may also be available. These would be banned hazardous substances.[41]

The ASTM F-963 toy standard bans hazardous magnet toys for children under 14 if they fit in the small parts cylinder. There is an exception for magnets included in certain "hobby, craft, and science kit-type items" intended for children 8 and up, provided the products comply with special magnet hazard disclosures. The snake eggs are marketed for "4 and up."

## Recommendation for Magnets in Toys

It is important for the CPSC to continue rulemaking on magnets so that safer versions of these toys are available for consumers.

# Choking Hazards

## CPSC Bans Small Parts for Children Under Age 3

In 1979, the CPSC banned the sale of toys containing small parts if they are intended for use by children under the age of three, regardless of age labeling. A small part is defined as anything that fits inside a choke test cylinder, which has an interior diameter of 1.25 inches and a slanted bottom with a depth ranging from 1 to 2.25 inches (Figure A). This cylinder is designed to the approximate size of a fully expanded throat of a child under three years old. If the toy or part of the toy—including any parts that separate during "use and abuse" testing—fits inside the test tube, the product is a choking hazard and is banned for children under the age of three. In 1994, the Child Safety Protection Act established a more protective standard for small balls in children's toys.

The CPSC uses three factors to determine whether a toy is intended for children under three years old, including the manufacturer's stated intent, such as the age stated on a label; the advertising and marketing of the product; and if the toy is "commonly recognized" as being intended for a child under three years old.[42] Some items commonly recognized for children under three include squeeze toys; teether toys or articles that are affixed to a crib, stroller, playpen, or baby carriage; pull and push toys; bathtub, wading pool and sand toys; and stuffed animals.[43]

Balloons, articles made of paper, writing materials such as crayons and chalk, modeling clay, finger paints, watercolors and other paint sets are exempt from this small parts regulation, because they cannot be manufactured in a way that would prevent them from breaking into small parts when subjected to use and abuse testing. Children's clothing and accessories such as shoe lace holders, diaper pins, and barrettes also are exempt, because they need to be small to perform their intended purpose.[44] Fabric, yarn, fuzz, elastic, and string that fit in the choke test cylinder also are exempt, as they are unlikely to pose a choking hazard.[45]

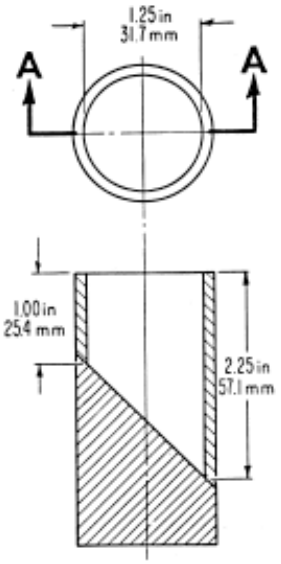



Figure A. Choke Test Cylinder

### Labels for Toys with Small Parts for Children Over Age 3

The CPSC's 1979 regulations were not entirely effective - manufacturers attempted to circumvent the small parts ban by labeling products intended for children under three for "ages three and up." Parents misinterpreted these labels as recommendations, rather than warnings, and purchased these toys for children under three. The 1979 regulation also exempted a significant

## Characteristics of Toys for Children Under Three

The following are some general characteristics that make toys appealing to children under three.

**Size and Weight:** Small and lightweight, easy to handle.

**Theme:** Represents a common object found around the home, farm, or neighborhood.

**Degree of Realism:** Silly or cute, some realistic details.

**Colors:** Bright, contrasting colors covering large areas of the toy.

**Noisemaking:** Not loud or frightening.

**Action and Movement:** May be silly, should be easy for child to cause movement.

**Type and level of skill:** Lets child begin to learn skills or practice skills such as walking, stacking, and sorting; should be slightly beyond child's capabilities to maintain interest.

*Source: Consumer Product Safety Commission*

choking hazard, balloons, from warnings or regulations. It also became apparent that small balls that passed the small parts test could still pose a choking hazard and completely block a child's airway.

Throughout the 1980s, consumer groups urged Congress and the CPSC to increase the size of the small parts test and to require an explicit choke hazard warning on toys intended for older children if the toys contained banned small parts. Eventually a campaign to make toys safer led by ConnPIRG and child safety advocates resulted in Connecticut implementing the choke hazard warning label that you now see regularly on toys. The Connecticut law laid the foundation for a federal standard and in 1994, Congress passed the Child Safety Protection Act. President Clinton signed the CSPA into law on June 16, 1994.

## Small Parts

The 1994 CSPA requires that toys with small parts intended for children between the ages of three and six years old include the following explicit choke hazard warning:[46]

**WARNING:**

CHOKING HAZARD--Small parts
Not for children under 3 yrs.

This year the CPSC, in cooperation with Green Toys Mini Vehicles, issued a voluntary recall of about 50,000 toy cars because the wheels and hubcaps can detach, posing a choking hazard to young children. Green Toys received ten reports of wheels and hubcaps detaching or loosening from the toys. There have been no reports of injuries.[47]

There was also a voluntary recall that involved the Imaginarium 5-Sided Activity Center. 24,000 units were recalled because the small wooden knobs attaching the xylophone keys to the end can detach, causing a choking hazard to young children. Toys "R" Us received eight reports of the knobs detaching. No injuries have been reported.

This year we found several toys that may violate the CPSC's small parts labeling for toys standard. We also found "near small part" toys that support our call for the small parts test to be made more protective.

We found small Dragster cars where the small parts - the rubber traction band on the wheels - easily come off and can be a choking hazard. While these toys are labeled 4 and up and do have a choke hazard warning, the statutory small parts warning label on the cars is tiny, which may be a labeling violation because the warning is not "clear and conspicuous."

We also found a small bowling set with an obscured choke hazard warning label, a ball and launcher with a tiny warning label, and a golfing game with no warning label.

## Small Balls

The 1994 CSPA established a new test for small balls from the previous 1.25 inches in diameter small parts test. Since 1994's law, balls with a diameter smaller than 1.75 inches are banned for children under three years old.[48] The law defines a ball as "any spherical, ovoid, or ellipsoidal object designed or intended to be thrown, hit, kicked, rolled, dropped, or bounced." In addition, the term "ball" includes any multisided object formed by connecting planes into a generally spherical ovoid, or ellipsoidal shape that is designated or intended to be used as a ball.[49] According to this definition, other toys that are spherical or have spherical parts but are not intended for use as a ball do not have to meet this test. We have repeatedly urged the CPSC to interpret the small ball test to include all rounded objects, especially rounded toy food, that pose a similar hazard.

*Because rounded objects - including ball-like play foods such as toy fruits and vegetables - pose similar risks to balls, they should be tested with the more stringent small ball tester (1.75 inches in diameter, shown here) rather than the choke tube tester used for small parts (1.25 inches in diameter).*

Round objects are more likely to choke children because they can completely block a child's airway. Any small ball intended for children over the age of three must include the following warning:[50]

**WARNING:**

CHOKING HAZARD--This toy is a small ball.
Not for children under 3 yrs.

Any toy or game containing a small ball and intended for children between ages three and eight must include the following warning:

**WARNING:**

CHOKING HAZARD--Toy contains a small ball.
Not for children under 3 yrs.

This year we found rounded toy foods that pass the small parts test but would fail the small ball test if classified as balls. These toys also pose a special hazard because they look to children like something that should be eaten.

## Balloons

Balloons pose a grave choking hazard to children, causing more choking deaths than any other children's product. Almost half (40 percent) of the choking fatalities reported to the CPSC between 1990 and 2009 involved balloons. The 1994 law requires the following choke hazard warning on all balloons:[51]

**WARNING:**

CHOKING HAZARD--Children under 8 yrs. can choke or suffocate on uninflated or broken balloons. Adult supervision required.

Keep uninflated balloons from children. Discard broken balloons at once.

Once again this year we found balloons in stores inappropriately targeted to a baby's first birthday.

## Marbles

Any marble or toy containing a marble that is intended for children three years of age or older must bear the following cautionary statement on its packaging:[52]

**WARNING:**

CHOKING HAZARD--This toy is a marble. Not for children under 3 yrs.

## Bins and Vending Machines

Finally, the CSPA requires choke hazard labels on bins and vending machines. If toys or small balls requiring labels are sold in vending machines or unpackaged in bins, these vending machines and bins must display the statutory warnings.[53] This year again we found toys in stores where the bins were not properly labeled, especially in dollar stores.

## Findings: Choking Hazards

Our shoppers surveying toy stores in the fall of 2012 identified the following trends:

### Most Toys are Safe and Properly Labeled

Overall, manufacturers and toy retailers are appropriately marketing and labeling small balls, balloons, small toys and toys with small parts. Most toys for children under three years old do not have any small parts. However, toys intended for older children can still be found without labels or improper labels, especially in dollar stores.

### Some Toys May Not Meet CSPC Requirements

The law bans small parts in toys for children under three and requires a warning label on toys with small parts for children between the ages of three and six. U.S. PIRG researchers found toys with small parts for children under six without the statutory choke hazard warning.

### Near-Small Parts May Pose Choking Hazards

In September 2006, the CPSC and Playskool voluntarily recalled about 255,000 Team Talkin' Tool Bench toys following the deaths of two young children. A 19-month-old West Virginia boy and a 2-year-old Texas boy suffocated when oversized, plastic toy nails sold with the tool bench toys became forcefully lodged in their throats.[54]

The toy was labeled for children three and older, but did not include a choke hazard warning; the toy nails in question, measuring three inches in height, passed the small parts test. This tragic incident is a reminder that some toys may pose a choking or suffocation hazard even if they pass the small parts test. In August

2009, the CPSC announced the recall of a variety of Little Tikes Children's Workshop toys totaling over 1.6 million units following an incident in which a little boy was hospitalized after choking on an over-sized plastic nail, but made a full recovery.[55]

In 2009, we were notified by a Washington, DC, parent of a toy with a peg that a one-year old choked on. The toy—"Baby's First Train"—was labeled for ages 1 and up. The part in question extends just 1 cm outside the choke tube.

Toys shaped like corks or pegs or with spherical, hemispherical, or circular flared ends and attached to a shaft, like the toy nails that caused the two suffocation deaths, could pose particular hazards, even if they pass the small parts test. To "address a potential impaction hazard," the F-963 Standard Consumer Safety Specification for Toy Safety had previously laid out requirements only for toys with spherical ends that are intended for children under 18 months.[56] The latest version of this standard, which is enforceable by the CPSC, contains a new, improved requirement for toys posing these hazards intended for children up to 48 months.

### Balloons Are Marketed to Young Children

The 1994 CSPA requires that all balloons include a choke hazard warning alerting parents to the dangers of balloons and broken balloons for children under eight. We found balloons in stores that were marketed to children under eight, including balloons marketed specifically to toddlers (e.g., "Baby's First Birthday"). Manufacturers and retailers should stop producing and selling balloons aimed at children under eight years old.

## Recommendations

We call on the CPSC to:

- Enlarge the small parts test tube to be more protective of children under three.
- Consider extending the standard for toys with spherical ends to apply to toys intended for children under six years old instead of under 48 months. Also, consider special labeling for toys shaped like the toy nails that caused two children to suffocate.
- Change the small-ball rule to include small round or semi-round objects, not just "balls" in the strictest definition. A rounded toy apple poses similar hazards to a round ball.
- Discourage manufacturers from over-labeling their products with choke hazard warnings, as this could reduce the effectiveness of labels on products that pose a serious choking hazard.
- Discourage marketing of balloons to children under eight years of age.

# Excessively Loud Toys

Between one-quarter and one-third of Americans with hearing loss can attribute it, at least in part, to noise.[57] Children are especially vulnerable to noise-induced hearing loss, which often happens gradually and without pain from over-exposure to loud noises.[58] Almost 15 percent of children ages 6 to 17 show signs of hearing loss.[59] Noise-induced hearing loss can be caused by a one-time exposure to loud sound as well as by repeated exposure to sounds at various loudness levels over an extended period of time.[60]

The Occupational Safety and Health Administration reports prolonged exposure to sounds at 85 decibels (dB) or higher can result in hearing damage. The American Academy of Pediatrics and the National Campaign for Hearing Health use 85 decibels as a threshold for dangerous levels of noise.[61]

The symptoms of noise-induced hearing loss increase gradually over a period of continuous exposure. Sounds may become distorted or muffled, and it may be difficult for the person to understand speech. Even minor hearing loss in children can affect their ability to speak and understand language at a critical time in their development.

The following are the accepted standards for recommended permissible exposure time before hearing damage can occur. For every three decibels over 85 decibels, the permissible exposure time before possible damage is cut in half.[62]

**Decibel Exposure Time Before Hearing Damage Can Occur[63]**

| Continuous dB | Permissible Exposure Time |
|---|---|
| 85 dB | 8 hours |
| 88 dB | 4 hours |
| 91 dB | 2 hours |
| 94 dB | 1 hour |
| 97 dB | 30 minutes |
| 100 dB | 15 minutes |
| 103 dB | 7.5 minutes |
| 106 dB | < 4 minutes |
| 109 dB | < 2 minutes |
| 112 dB | 1 minute |
| 115 dB | 30 seconds |

## Standards for Loud Toys

In September 2011, ASTM finalized new specifications that are an improvement on its 2003 standards for sound-producing toys. The CPSC has the authority to enforce the ASTM voluntary standards and exercises authority at its discretion. These standards include the following:[64]

- Hand-held, tabletop, floor, and crib toys should not produce continuous sound that exceeds 85 dB when measured from 25 centimeters (about 10 inches).

- Close-to-the-ear toys should not produce continuous sound that exceeds 65 dB when measured from 2.5 centimeters (about 1 inch).

- Toys with impact-type impulsive sounds should not produce a peak sound in excess of 115 dB when measured from 25 centimeters.

- Toys with explosive-type sounds should not produce a peak sound in excess of 125 dB when measured from 25 centimeters.

These standards, while a solid step in the right direction, may not prevent loud toys from harming children's hearing. The sound limits are too high, since exposure to sounds at 85-90 decibels over two hours and sounds at 120 decibels over just 30 seconds can cause hearing loss. Furthermore these standards are voluntary, not mandatory. Finally, the standards are based on peak sound pressure levels measured from a distance of 25 centimeters. Children often play with toys at a much closer distance than 25 centimeters—even holding a toy up to their ears—and therefore could experience the noise at a more powerful level. [65] This is especially important for toy cell phones, earphones and musical toys.

## Toy Survey Findings: Loud Toys

We measured the loudness of several toys using a hand held digital sound level meter, taking the readings from 25 centimeters to determine the range of noise to which a child playing with a toy could be exposed. We found three toys that may not meet the ASTM standards for loud toys. We found a toy guitar and a driving wheel dashboard console toy that exceeded the 85 decibels limit when measured at testing distances. We also found a close-to-the-ear toy—a toy key chain rattle intended for children under three—that tested at greater than 65 decibels, which is harmful for tender ears.

## Recommendations: Loud Toys

To protect children from loud toys, we offer the following advice for parents:

- If a toy seems too loud for you, then it is probably too loud for your child.

- Put tape over the speakers of toys you already own that are too loud or remove the batteries.

- Report a loud toy to the CPSC website, www.saferproducts.gov.

CPSC should:

- Enforce the new ASTM sound standards to the fullest extent.

# Strangulation Hazards

In 2012, as in 2011, we did not identify any strangulation hazards in our findings. Strangulation from children's products has been on the decline since CPSC issued new guidelines in the late 1990s. However, hazards still exist in children's drawn string clothing, corded baby monitors, cords from blinds and beaded curtains and the CPSC continues to take action.

## Drawstrings - Clothing

Drawstrings on children's clothing lead to deaths and injuries when they catch on playground equipment, bus doors, or cribs.[66] From January 1985 through June 1997, the CPSC received reports of 21 deaths and 43 incidents involving drawstrings on children's upper outerwear.[67] In February 1996, CPSC issued guidelines to prevent these injuries, which ASTM adopted as a voluntary standard in June 1997.[68] The standard has resulted in a marked decrease in fatalities and incidents, and CPSC routinely recalls products.

CPSC recommends parents remove drawstrings from all children's upper outerwear sized 2T to 12 and buy clothing with alternative closures, like snaps, buttons, and Velcro.[69]

# Methodology

**Testing of toys and other children's products for lead, cadmium and phthalates:** We purchased toys and children's jewelry from major retailers and dollar stores. We sent these items to STAT Analysis Corporation in Chicago, a laboratory accredited by the Illinois Environmental Protection Agency in accordance with the National Environmental Laboratory Accreditation Program, for testing.

For lead and cadmium testing STAT Analysis tested for heavy metals using EPA Method SW 6020 (Inductively Coupled Plasma-Mass Spectrometry) to determine the quantity of the toxin in each item.[70]

For phthalates STAT Analysis followed standard procedures, using EPA Method 8270C.

**Choking hazards:** We categorized toys as a potential choking hazard if a) a toy labeled for children under three contains small parts or breaks easily into small parts; b) a toy contains small parts or small balls, but is intended for children under three, regardless of age labeling if any; c) a toy contains small parts or small balls, is intended for children over three, but lacks the statutory choke hazard warning or the choke hazard warning is obscured or too small; d) the toy is intended for children under six, lacks the statutory choke hazard warning and appears to fail the "use and abuse" test, breaking easily into small parts that fit in the choke tube; or e) contains "near small parts," which are slightly larger than the choke test cylinder but may pose similar hazards.

**Noise Toys:** We measured the loudness of toys, taking the readings from 25 centimeters (9.84 inches), 10 centimeters (3.94 inches) and 1 centimeter (.39 inches) to determine the range of noise exposure for a child playing with these toys.

# Attachment A: 2012 Summary of Toy Hazards and Examples of Potentially Dangerous Toys

## Potential Choking Hazards

### Standards

Under the Child Safety Protection Act (CSPA) and Consumer Product Safety Commission rules:

- Toys intended for children under 3 are banned if they contain small parts or easily break into pieces that are small parts.
- Toys intended for children between the ages of three and six years old that contain small parts must include an explicit choke hazard warning with precise statutory language.
- Any small ball or toy that contains a small ball must meet a stricter safety test and include an explicit choke hazard warning.
- Marbles or toy with marbles must include an explicit choke hazard warning.
- All balloons must include a warning about the dangers of uninflated or broken balloons to children younger than 8 years of age.

**CATEGORY: SMALL PARTS /LABEL VIOLATION**

## Dragster cars

| | |
|---|---|
| **Label on toy:** | Statutory Small Parts Warning |
| **Type of hazard:** | Label is too small to read, contains small parts (rubber traction band on wheels) |
| **Why toy is a problem:** | **Small parts/label violation** |

16 CFR 1500.19(d)1-11 concerning "Prominence and conspicuousness of labeling statements" and its references to 16 CFR 1500.121

Manufactured by http://www.zwindups.com/
Toy store: Toys-R-Us Location: DC area
Item#: 20452 Price paid: $4.99

**CATEGORY: SMALL PARTS /LABEL VIOLATION**

## Bowling game


| | |
|---|---|
| **Label on toy:** | Statutory Small Parts Warning |
| **Type of hazard:** | Label is completely obscured by additional label listing manufacturer. |
| **Why toy is a problem:** | **Small parts/label violation** |

16 CFR 1500.19(d)1-11 concerning "Prominence and conspicuousness of labeling statements" and its references to 16 CFR 1500.121

Manufactured by www.coolnoveltyproducts.com
Toy store: Dollar Plus Store Location: Virginia
Item#: 1614827058 Price paid: N/A

**CATEGORY: SMALL PARTS /LABEL VIOLATION**

## Ball on a stick launcher


| | |
|---|---|
| **Label on toy:** | Statutory Small Parts Warning |
| **Type of hazard:** | Label is too small to read, contains small parts. |
| **Why toy is a problem:** | **Small parts/label violation (Arrows added to closeup photo to show warning label)** |

16 CFR 1500.19(d)1-11 concerning "Prominence and conspicuousness of labeling statements" and its references to 16 CFR 1500.121

Manufactured by R T Toy Factory, Guandong, People's Republic of China
Toy store: N/A Location: Los Angeles dollar store
Item#: Rt-32237 Price paid: $1.00

**CATEGORY: NEAR SMALL PARTS**

## Play Food

| | |
|---|---|
| **Label on toy:** | Statutory Small Parts Warning |
| **Type of hazard:** | Small hot dogs are near small parts |
| **Why toy is a problem:** | **Toy food poses a special hazard because it looks as if it should be eaten** |

None, but children have choked on toys larger than the choke test tube.

Manufactured by Walmart Stores Inc.
Toy store: Walmart Location: Clinton, MD
Item#: 74711 Price paid: $8.00

**CATEGORY: CHOKING**

## Baby's 1st Birthday Balloons


| | |
|---|---|
| **Label on toy:** | Statutory Balloon Choking Hazard Warning |
| **Type of hazard:** | Balloons should not be marketed to children under 8, this toy is marketed for children 1 year old. |
| **Why toy is a problem:** | **CPSC balloon warning restricts balloons from children < 8 years.** |

Parents and caregivers should not not purchase balloons for toddler events.

Manufactured by Unique Industries Inc, PA 19112 USA
Toy store: Dollar Plus Location: Arlington, Virginia
Item#: 23895 Price paid: $1.00

**CATEGORY: CHOKING**

## Baby's 2nd birthday Balloons


| | |
|---|---|
| **Label on toy:** | Statutory Balloon Choking Hazard Warning |
| **Type of hazard:** | Balloons should not be marketed to children under 8, this toy is marketed to children 2 years old. |
| **Why toy is a problem:** | **CPSC balloon warning restricts balloons from children < 8 years.** |

Parents and caregivers should not not purchase balloons for toddler events.

Manufactured by Unique Industries Inc, PA 19112 USA
Toy store: Dollar Plus Location: Arlington, Virginia
Item#: 54620 Price paid: $1.00

**CATEGORY: SMALL PARTS AND SMALL BALL-LIKE OBJECTS**

# Super Play Food Set


| | |
|---|---|
| **Label on toy:** | Statutory Small Parts Warning |
| **Type of hazard:** | Some food objects are small parts-- other rounded food objects are bigger than choke tube but smaller than small ball tester. |
| **Why toy is a problem:** | **Toy food poses a special hazard because it looks as if it should be eaten** |

None, but regulation should be changed so round food is tested as small ball not small part.

Manufactured by Geoffrey LLC, subsidiary of Toys R Us.
Toy store: Toys-R-Us Location: Clinton, MD
Item#: #80001 Price paid: $19.99

**CATEGORY: SMALL BALL /LABEL VIOLATION**

# Golfing game


| | |
|---|---|
| **Label on toy:** | Statutory Small Parts Warning |
| **Type of hazard:** | Toy contains small balls, subject to more stringent test and a different warning |
| **Why toy is a problem:** | **Small balls/label violation** |

Small ball warning label missing.

Manufactured by Aoxing Toys Factory, Guandong, Peoples Republic of China, TCB Imports LA 90023
Toy store: N/A Location: Los Angeles dollar store
Item#: 80691 Price paid: $3.20

# Potentially Toxic Toys: Lead and Other Toxic Chemicals

## Standards

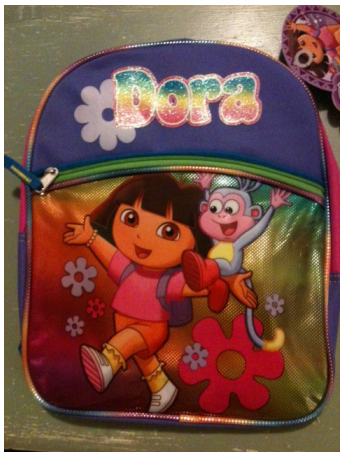
The Consumer Product Safety Improvement Act of 2008 bans lead in toys and children's products on a phase-out schedule outlined below. After the effective dates, these products cannot be manufactured, imported for sale or sold.

- **February 2009**: Toys and children's products containing lead in excess of 600 parts per million (ppm) became banned hazardous substances.
- **August 2009:** The maximum allowable amount of lead in paint decreased from 600 ppm to 90 ppm.
- **August 2009:** Toys and children's products containing lead in excess of 300 ppm became banned hazardous substances.
- **August 2011**: Toys and children's products containing lead in excess of 100 ppm which were manufactured after August 14th, 2011, became banned hazardous substances.

The CPSIA includes a ban on childcare products and children's toys containing the phthalates DEHP, DBP, and BBP in concentrations higher than 0.1% per phthalate (1,000 ppm), and on childcare products and children's toys that can be put in a child's mouth containing the phthalates DINP, DNOP, and DIDP in concentrations higher than 0.1% per phthalate (1,000 ppm).

**CATEGORY: TOXIC CHEMICALS -PHTHALATES**

## Dora backpack




| | |
|---|---|
| **Label on toy:** | None |
| **Type of hazard:** | Phthalates are a developmental hazard |
| **Why toy is a problem:** | **Tested at 320 ppm DBP, which is below federal standard (1000 ppm) but requires disclsoure under Washington State and California law** |

Does not violate federal standard but phthalate warning required under Washington State law should be used by all manufacturers in all markets.

Manufactured by Global Design Concepts Inc.
Toy store: Target Location: Portland, OR
Item#: N/A Price paid: N/A

**CATEGORY: TOXIC CHEMICALS - LEAD**

## Morphobot


| | |
|---|---|
| **Label on toy:** | None |
| **Type of hazard:** | Lead poses chronic health hazards to children |
| **Why toy is a problem:** | **Tested at 180 ppm lead** |

Violates current 100 ppm lead standard, although toys manufactured before August 2011 can still be sold if less than 300ppm

Manufactured by GreenBrier International Inc.
Toy store: Dollar Tree stores Location: Portland, OR
Item#: N/A Price paid: $6.00

# Potential Magnet Hazards

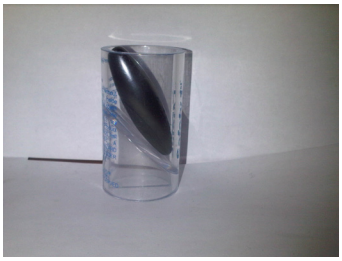
### Standards

The CPSC has the authority to enforce ASTM voluntary standards and exercises authority at its discretion. ASTM toy and children's product standard F963 states the following:

- Toys containing loose small hazardous magnets that fit in the small parts choke test cylinder are banned for children under 14 years old. An exception is that certain hobby, craft, and science kit-type items for children 8 and up containing small hazardous magnets are allowed, only if they contain this warning: "WARNING: This product contains (a) small magnets(s). Swallowed magnets can stick together across intestines causing serious infections and death. Seek immediate medical attention if magnet(s) are swallowed or inhaled.

**CATEGORY: POWERFUL MAGNETS AND NEAR SMALL PART**

## Snake Eggs

| | |
|---|---|
| **Label on toy:** | Age > 4 |
| **Type of hazard:** | Ingestion Hazard, especially due to ellipsoid shape. |
| **Why toy is a problem:** | **Near Small Part, shaped for easy swallowing** |

None. If magnets actually were small parts (fit in choke tube, just a little smaller) (see photo) would be banned for children <14 (unless part of hobby toy, then banned <8 years old). But labeled 4+.

Manufactured by GreenBrier International Inc.
Toy store: Dollar Tree stores Location: DC area
Item#: 120375-02644-099-1205 Price paid: $1.00

# Potential Noise Hazards

## Standards

The CPSC has the authority to enforce ASTM voluntary standards and exercises authority at its discretion. These standards include:

- Hand-held, tabletop, floor, and crib toys should not produce continuous sound that exceeds 85 decibels (dB) when measured from 25 centimeters (about 10 inches).
- Close-to-the-ear toys should not produce continuous sound that exceeds 65 dB when measured from 2.5 centimeters (about 1 inch).
- Toys with impact-type impulsive sounds should not produce a peak sound in excess of 115 dB when measured from 25 centimeters.

**CATEGORY: NOISE**

## Guitar


| | |
|---|---|
| **Label on toy:** | None Required By Law |
| **Type of hazard:** | Tests at >85dB+ but should be less than 80db according to hearing experts |
| **Why toy is a problem:** | **Prolonged exposure to loud noises harms small children's hearing** |

May violate F-963 loudness standard enforceable by CPSC

Manufactured by Fisher-Price
Toy store: Target Location: Alexandria, VA
Item#: R4591 Price paid: $22.39

**CATEGORY: NOISE**

## Car Wheel/Horn


| | |
|---|---|
| **Label on toy:** | None Required By Law |
| **Type of hazard:** | Tests at 85 dB+ but should be less than 80db according to hearing experts |
| **Why toy is a problem:** | **Prolonged exposure to loud noises harms small children's hearing** |

May violate F-963 loudness standard enforceable by CPSC

Manufactured by Toystate.com
Toy store: Toys-R-Us Location: Alexandria, VA
Item#: 80225 Price paid: $18.49

**CATEGORY: NOISE**

# FunKeys Car Keys


| | |
|---|---|
| **Label on toy:** | None Required By Law |
| **Type of hazard:** | Tests at 80+ decibels. Close to ear toys should be less than 65 decibels, according to hearing experts |
| **Why toy is a problem:** | **Prolonged exposure to loud noises harms small children's hearing** |

May violate F-963 loudness standard enforceable by CPSC

Manufactured by Maison Joseph Battat ltd.
Toy store: Target Location: Alexandria, VA
Item#: BX1199 Price paid: $9.99

# End Notes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