



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

CHAIRMAN INEZ M. TENENBAUM

STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE VOTE TO ISSUE THE NOTICE OF REQUIREMENTS FOR THE FEDERAL TOY SAFETY STANDARD, ASTM F-963, AS APPROVED BY THE U.S. CONSUMER PRODUCT SAFETY COMMISSION

July 21, 2011

Yesterday, the Commission took another key step forward in the process of strengthening consumer confidence by ensuring that safer toys are on the market and in the hands of our nation's children. This safety-driven action occurred in the form of a unanimous Commission vote to issue the notice of requirements for accreditation of third party conformity assessment bodies for testing to ASTM F-963, the basis of the federal toy safety standard. Accrediting laboratories may not sound like much, but putting in place procedures that will require meaningful, independent third-party toy testing is a vital and necessary part of the process of providing parents with much greater peace of mind when standing in the toy store and when watching their children at play.

More than two years ago, in response to a wave of unsafe and violative toys in the marketplace, such as small magnets that detached from toys, chemical contaminants in and on children's products, and detachable small parts that killed or seriously injured several children, Congress said enough was enough and directed the Commission to implement mandatory toy safety standards. The inclusion of a federal toy safety standard in the Consumer Product Safety Improvement Act gave CPSC the authority to implement and enforce those rules. Under my leadership, CPSC has been steadily improving the requirements for toy safety by, for instance, putting in place limits on lead paint, total lead content and phthalates, while also implementing stronger federal safety standards for toys.

We have not accomplished all of this on behalf of our nation's children alone, however. Many toy manufacturers share our belief that an unwavering commitment to child safety can also be good business, and they are continually working to strengthen the voluntary toy safety standards that CPSC ultimately adopts, in whole or in part, as federal law. Those partners in industry also recognize that certification of a toy through independent testing is a selling point for companies. They can tell their customers that their toys passed some of the most rigorous safety standards in the world.

Without taking our eye off the agency's core safety mission, we have also worked diligently to provide time for relevant stakeholders to, as necessary, align their products with this standard. However, any further delay would be unwarranted. While I believe a wide array of toys should be, and will continue to be, available on the market, I also believe safety must always come first.

Staying true to CPSC's core mission and working to protect children by ensuring that only compliant toys are on the market should not be a controversial effort. However, not all of my

fellow Commissioners apparently agree. I reject the notion that delaying this action would somehow lead to a better result for the safety of our nation's children. The notice of requirements we approved yesterday was consistent with our approach of being transparent and open to public input, while also providing reasonable flexibility for manufacturers.

Calls for further pauses are difficult to see as anything other than wishes for delays (that would come at a real safety cost) in the hopes the underlying legal requirements will be watered down. But like justice, safety delayed is safety denied.

The Consumer Product Safety Commission under my stewardship will have no part of that. I would like all consumers, as well as manufacturers of all sizes, to know that we have carefully balanced any legitimate timing and compliance concerns with our Congressional mandate to require the third party testing of toys to the federal toy standard. We must protect our children by ensuring only safe toys are on the market. I will accept nothing less.