



**Toy Industry** Association, Inc.

## Private Sector Efforts on Standards Alignment

*Industry, Harmonize Thyself*

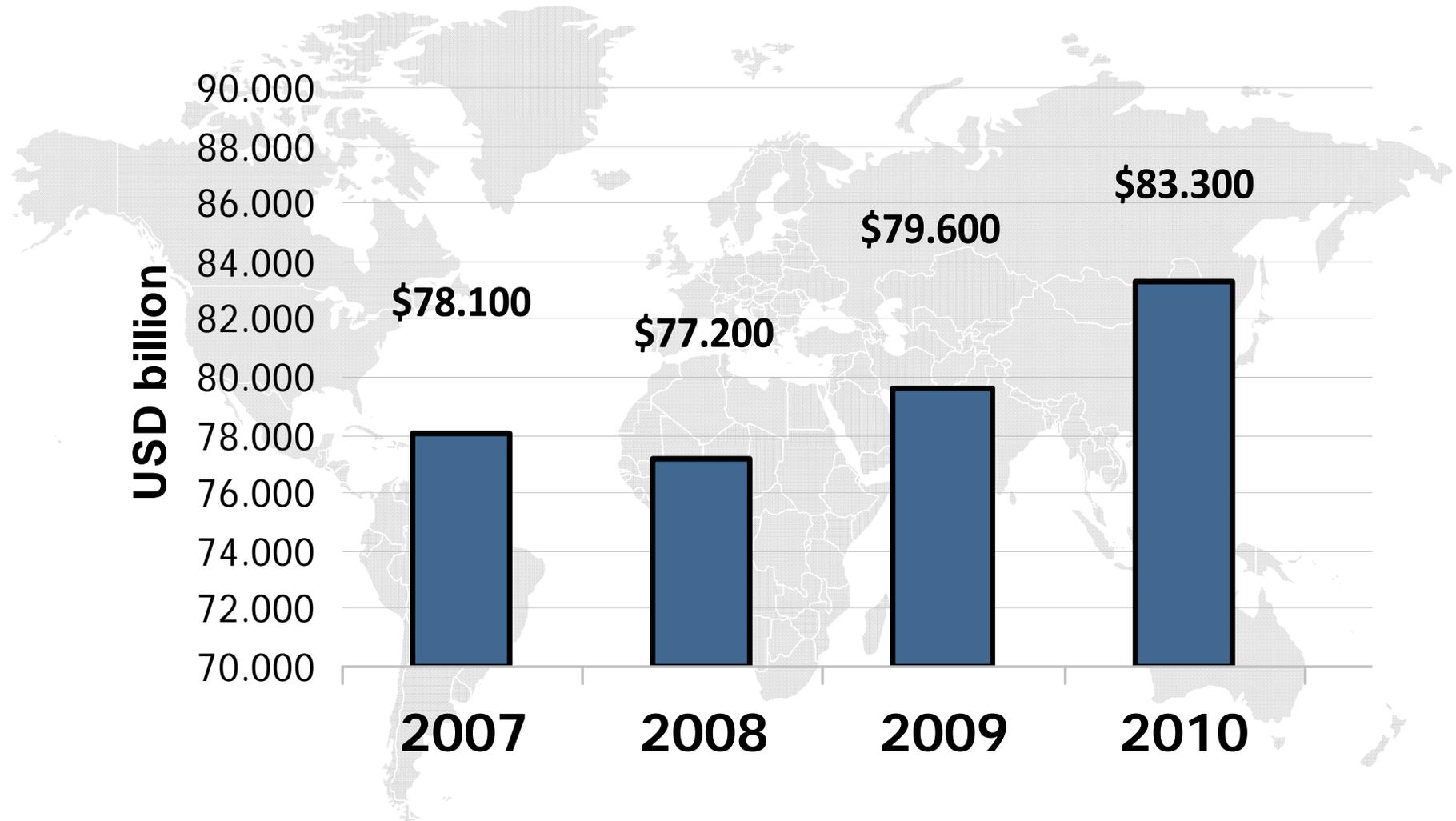
Carter Keithley, President

Toy Industry Association (U.S.)

First North America Consumer Product Safety Summit

Bethesda, MD | September 26-27, 2011

# Toys and Games ... An \$84 Billion (USD) Global Industry



# The North American Toy Industry

- Three national trade associations coordinate the activities of North American toy stakeholders



**AMIJU**

ASOCIACIÓN MEXICANA DE LA  
INDUSTRIA DEL JUGUETE A.C.



CANADIAN TOY ASSOCIATION  
L'ASSOCIATION CANADIENNE DU JOUET



**Toy Industry** Association, Inc.

# The North American Toy Industry

- Together, these three Associations represent more than **600** companies – including many common members such as:



- AMIJU, CTA and TIA member companies account for **85%** of all toys sold in North America

# The International Council of Toy Industries



International Council of Toy Industries

- **ICTI is the industry association for the worldwide toy industry.** Its membership includes national toy associations from twenty countries, each of which has its own membership made up of toy brands operating in its own geography.

# A History of Leadership in Standards Development

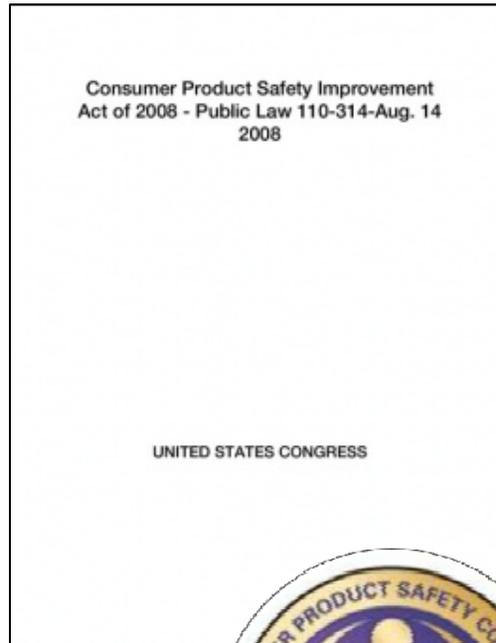
1930s	1940s	1950s	1970s	1990s	2000s	2010-
TIA institutes its Safety Standards Committee and begins partnership with the National Safety Council (NSC).	TIA and NSC collaboration leads to establishment of a National Accident Reporting Service.	TIA and NSC efforts continue with development of National Clearinghouse for Toy Injuries.  TIA joins with American National Standards Institute (ANSI) to develop a standard for the coating finishes on toys and other children's articles.	TIA leadership results in publication of first comprehensive national toy safety standard (known today as ASTM F963).  TIA launches a Toy Safety Educational Program.	TIA institutes an annual Toy Safety Conference for Chinese manufacturers in conjunction with the U.S. Consumer Product Safety Commission (CPSC) and Chinese government.	TIA advocates for mandatory toy safety testing; works with legislators to develop enhanced, uniform toy safety laws; and develops safety compliance best practices.  Congress passes Consumer Product Safety Reform legislation.	TIA develops <b>www.ToyInfo.org</b> website as a resource for parents and other caregivers on safe and fun toys and the importance of play.

# Toy Industry Initiatives to Assure Product Safety



- **Strengthening process controls** throughout the manufacturing process to assure conformance to standards
- **Establishing tools** to facilitate reliable assessment of the safety of chemicals in toy products
- **Providing web-based repositories** for maintaining required documentation on materials, components and tests
- **Monitoring incident data** to inform development of new standards in response to emerging hazards

# Consumer Product Safety Improvement Act of 2008



- ASTM F963 national toy safety standard – and testing to its requirements – became mandatory
- Lower limits for lead in surface coatings
- Limits for lead in substrates
- Restrictions on certain phthalates
- Testing requirements
- Take into account standards from other nations

# Canadian Toy Regulations



- CCPSA effective June 20, 2011
- Health Canada's modernization of toy regulations underway
  - **Consultation on five subjects that affect toys** (November 2009)
    - Magnets, sound, size and shape, packaging and labeling
  - Two new regulations issued
    - Children's Products Containing **Lead** regulations (November 2010)
    - **Phthalate** regulations for toys and children articles (January 2011)

## Example: Differences in Regulations for Lead

- Canadian lead regulation declared to be the “strictest in the world” (June 4, 2009)

Canada’s Lead Regulation	United States’ Lead Regulation
<p><b>90 mg/kg total</b> lead concentration limit for Group 1 Products <i>(includes toys &amp; children’s products intended to be or likely to be placed in the mouth)</i></p>	<p><b>August 2008</b> CPSIA calls out <b>100 mg/kg total</b> as target</p> <p><b>July 2010</b> CPSC invites comments</p> <p><b>July 2011</b> CPSC confirms <b>100 mg/kg total</b></p>



## Example: Differences in Regulations for Phthalates

- Nearly **identical restrictions** for the same phthalate esters (0.1% concentration limit) but **different test methods** requires **duplicate testing** to confirm compliance

Canada's Required Extraction Method	United States' Required Extraction Method
Dichloromethane	Tetrahydrofuran



## Goal: Avoid Market Fragmentation and Mitigate Safety Risks

- **Minor differences** in regulations, standards or test methodologies have **MAJOR IMPACTS** on industry
- The objective should not be to see who can set the “**strictest**” regulations simply as a matter of principle and politics, but rather to have the **BEST** regulations as determined by Sound Science and International Norms

# Efforts are Already Underway to Align the Three Key Global Toy Safety Standards



- **Cooperation** among standards organizations
  - November 2009 establishment of an ISO Advisory Panel to determine priority issues and facilitate increased cooperation among ISO, ASTM and CEN



- **Outreach** to regulators and industry
  - International, domestic U.S. and individual U.S. states



- **Focus** on emerging standards
- **Convergence**

# Momentum for Change ... Momentum for Alignment

The White House

Office of the Press Secretary

For Immediate Release

February 04, 2011

## Joint Statement by President Obama and Prime Minister Harper of Canada on Regulatory Cooperation



Today, President Barack Obama and Prime Minister Stephen Harper have directed the creation of a United States-Canada Regulatory Cooperation Council (RCC), composed of senior regulatory, trade, and foreign affairs officials from both governments. In recognition of our \$1 trillion annual trade and investment relationship, the RCC has a two-year mandate to work together to promote economic growth, job creation, and benefits to our consumers and businesses through increased regulatory transparency and coordination.



3821

Federal Register

Vol. 76, No. 14

Friday, January 21, 2011

## Presidential Documents

Title 3—

The President

Executive Order 13563 of January 18, 2011

Improving Regulation and Regulatory Review

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve regulation and regulatory review, it is hereby ordered as follows:

**Section 1. General Principles of Regulation.** (a) Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation. It must be based on the best available science. It must allow for public participation and an open exchange of ideas. It must promote predictability and reduce uncertainty. It must identify and use the best, most innovative, and least



# REGULATORY COOPERATION

What Canadians Told Us

A SUMMARY REPORT ON CONSULTATIONS  
WITH CANADIANS ON REGULATORY COOPERATION  
BETWEEN CANADA AND THE UNITED STATES

Canada

## “Industry Harmonize Thysel”



- Equally important:
  - Health Canada and the CPSC to take a **proactive approach to coordinating toy standards**
  - Ensure new standards are based on **sound science and international norms**
  - Seek out **opportunities for regulatory alignment** through the Regulatory Cooperation Council

## Benefits of Standards Alignment (1 of 2)

- Reduced cost of production and testing
  - Cost savings passed along to consumers
- Opens markets
  - Greater product availability across multiple markets
- Increased Understanding = Increased Safety



## Benefits of Standards Alignment (2 of 2)

- Greater coordination, simplification, understanding of standards means **greater product safety**
  - Consistency in interpretation and comparison of results
  - Closer cooperation and enforcement across borders
  - Sound scientifically-based standards
  - Reduced potential for confusion and mistakes
- Regulatory departures from accepted standards should be the ***exception*** rather than the ***rule***

## In Summary...

*Our industry is committed to providing the safest toys to children*

- The toy industry remains dedicated to working with Health Canada, the Consumer Product Safety Commission and other international partners on toy product safety
  
- We look forward to working in partnership with regulators to achieve greater alignment of toy safety standards:
  1. **Health Canada and the CPSC to take a proactive approach to coordinating their toy standards;**
  2. **Ensure new standards are based on sound science and international norms; and**
  3. **Seek out opportunities for regulatory alignment through the Regulatory Cooperation Council.**



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