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### U.S. News: Regulators Delay New Rules for Testing Lead in Toys

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Under pressure from manufacturers, federal regulators have postponed for one year certain testing requirements for **lead** and other toxic substances in toys and other children's products.

But unless Congress acts, retailers and manufacturers still won't be allowed to sell products that don't comply with tougher **lead** standards that are set to take effect on Feb. 10. "Congress will need to address that issue -- the CPSC cannot," Nancy Nord, acting chairman of the Consumer Product Safety Commission, said in a statement.

The stay allows manufacturers, which have been hit hard by the recession, to put off costly product testing for levels of **lead**, used to stabilize the plastic in products, and phthalates, which are chemicals used to soften plastic. The testing rules were supposed to have taken effect on Feb. 10 as well.

The new rules for the first time impose limits on the amount of total **lead** that can be used in children's products, and they toughen standards on the amount of **lead** allowed in paint.

Under the new requirements, total **lead** content of children's products must be less than 600 parts per million of the product's overall chemical content; the limit for phthalates is 1,000 parts per million. The rules were written to apply to any products intended for use by children 12 years old or younger, including toys, electronics, apparel and sporting equipment, though some product makers have been seeking exemptions.

The testing stay "is exactly what we were asking for," said Jessica Hickey, president of Buggalove LLC, a Red Hill, Pa., maker of mobile and other nursery accessories. Ms. Hickey said the added testing expense would have forced her to close this summer, "but now I've got a business until next February."

Consumer groups, however, argue that the standards are meaningless unless products can be tested to see whether they fall within the limits. Indeed, watchdog groups are still finding toxic toys on the shelves of U.S. retailers.

Friday, the Center for Environmental Health, an advocacy group in Oakland, Calif., said it found several Valentine's Day stuffed-animal toys sold by [Rite Aid Corp.](#) and Longs Drugs, a unit of [CVS Caremark Corp.](#), with **lead** exceeding the new national standards that take effect on Feb. 10. The **lead** levels found in one of the stuffed-animal toys were more than 15 times the new

federal limit, the Center for Environmental Health said. "There should be something to back up a claim that the products are safe, but without testing and certification there's no assurance," said Charles Margulis, a spokesman for the group.

The toys are made by Dan-Dee International Ltd., a China-based manufacturer of toys and novelties with U.S. offices in Jersey City, N.J. Company officials didn't return phone calls seeking comment. Both [Rite Aid](#), based in Camp Hill, Pa., and CVS of Woonsocket, R.I., have removed the items from the shelves, officials from the two chains said.

Even though the testing for **lead** in plastic has been postponed, manufacturers still will be obligated to test for **lead** in paint and in jewelry. Millions of children's products have been recalled in recent years because of **lead** in paint and jewelry.

Manufacturers have said they fear the regulation will force them to take back all untested and uncertified products. "Many small and medium-sized companies could be pushed to the point of possible bankruptcy because they will be left holding billions of dollars in inventory that is now worthless, although it poses no safety threat to children," said Carter Keithley, president of the Toy Industry Association. Rick Locker, attorney for the association, said it, along with more than 50 other manufacturer organizations, plans to press Congress in the coming days to postpone the Feb. 10 deadline.