



Consumer Federation of America

CPSIA and Lead Fact Sheet

The Consumer Product Safety Improvement Act (CPSIA) was signed into law on August 14, 2008. This critical new law makes consumer products safer by requiring that toys and infant products be tested to mandatory standards before they are sold, and by practically eliminating lead and banning phthalates in children's products. The law also creates the first comprehensive publicly accessible consumer incident database – www.saferproducts.gov, gives the CPSC the resources it needs to protect the public, increase civil penalties that CPSC can assess against violators of CPSC laws, and protects whistleblowers who report product safety defects. The CPSIA includes the most significant improvements of the Consumer Product Safety Commission since the agency was established in the 1970's.

There is no known safe level of lead exposure:

- Lead is a potent neurotoxin that can cause permanent, irreversible brain damage.
- Children are especially susceptible to its toxic effects.
- A child's exposure to lead can result in lifelong harms, such as reduced IQ, learning disabilities, aggressive behavior, and serious and long-lasting effects on health and wellbeing.
- Cumulative lifetime exposure has also been linked to neurotoxicity and cardiovascular effects later in life.
- The effects of lead exposure also pose a serious economic burden on American society and are costing us tens of billions of dollars.
- In April of 2012, the Center for Disease Control and Prevention (CDC) affirmed that there is no safe level of lead. The CDC revised their lead guidelines downward. Any child with a blood lead level of more than 5 micrograms of lead will now be considered at risk of lead poisoning.

It is clear that we must do whatever we can to eliminate our children's exposure to this harmful toxin.

Before the CPSIA:

- There was no lead limit for children's products.
- There was a limit for lead in the paint and surface coatings of children's products. It was established in the 1970's and was set at an unacceptably high 600 ppm.
- There were millions of children's products recalled before passage of the CPSIA, especially in 2007, because they contained excessive levels of lead. These recalls included popular toys with childhood icons such as Thomas the Tank Engine and Elmo.

New Lead Limits established by the CPSIA:

- Section 101 of the CPSIA establishes the first-ever comprehensive lead limits for children's products.
 - The new lead limits were phased in over three years to allow manufacturers and retailers sufficient time to comply.
 - As of February 2009, products designed or intended primarily for children age 12 years and younger could contain no more than 600 parts per million (ppm) of lead.
 - This standard was then lowered to 300ppm in August 2009.
 - The standard was again lowered in August of 2011 to 100ppm after the CPSC found that 100 ppm was technologically feasible.
 - Any children's product on the market that does not comply with the new lead standards will be considered a banned hazardous substance.
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- In August 2011 H.R. 2175 was signed into law which amended the CPSIA to clarify implementation. It gave CPSC authority to grant exemptions from lead content limits for products that need lead to work properly and that don't pose a threat to health and safety, as well as exempted some products such as all-terrain vehicles, used products (except children's jewelry) and most books. The lead limit for bicycles was set at 300ppm.

The CPSIA, and Section 101, represent a significant step forward in protecting children from the hazard of lead in toys and other products designed for children.