

October 6, 2004

**SCHAKOWSKY STATEMENT
ON CHILD PRODUCT SAFETY**

***DO CURRENT STANDARDS PROVIDE
ENOUGH PROTECTION?***

WASHINGTON, D.C. - U.S. Representative Jan Schakowsky (D-IL) today delivered the following statement during a Commerce, Trade and Consumer Protection Subcommittee hearing on child product safety:

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□□□□□□□□□□ I sincerely thank you, Chairman Stearns, for holding today's hearing on what I consider to be one of the most important issues under our Subcommittee's jurisdiction: child product safety standards and whether they provide enough protections for our most vulnerable consumers. I am also pleased to welcome the witnesses, including Consumer Product Safety Commission Chairman Stratton, whose Commission, in my view, is grossly underfunded and understaffed, and the three tireless child product safety advocates here from Chicago as well as the other witnesses.□□

□ I would like to welcome Lisa Lipin, a constituent from my district, whose son was nearly strangled by a seemingly harmless toy - a yo-yo ball. And I would also like to thank Linda Ginzel for joining us today. Linda lost her son, Danny, when a portable crib collapsed around his neck. These women are here today as examples of how people can turn tragedies, or near-tragedies, into action. Ms. Ginzel and her husband, Boaz Keysar, co-founded an advocacy group, Kids in Danger, to educate about and advocate for safer products. Ms. Lipin has single-handedly brought the yo-yo ball danger to the attention of parents, reporters, and elected and appointed government officials. Because of her efforts, six major chain stores have agreed to pull the yo-yo balls off their shelves.□

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□□□□□□□□□□ Unfortunately, the experiences which prompted their advocacy are not unique. Parents across the country buy toys and other products for their children, assuming that because they are on the shelves, they are safe. A 1999 Coalition for Consumer Rights' survey in Illinois found that 75-percent of adults believe that the government oversees pre-market testing for children's products; 79-percent believe that manufacturers are required to test the safety of those products before they are sold. For most products, neither is true.□□

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□□□□□□□□□□ In fact, there are no mandatory safety standards for the majority of the children's products being sold today. Congress passed legislation in 1981 that prohibits the Consumer Product Safety Commission (CPSC), the agency that oversees product safety, from establishing mandatory standards in most cases. The few standards that are in place are set by the very industries looking to make profits and they are also

expected to police themselves.[] []

[] Let me stress what that means:[] although there may be voluntary standards in place, there are no requirements that all potential hazards are addressed in those standards, no requirement that products be tested in the field, no consequences for the manufacturer if the standards are not met, and no requirements for products to be tested to see if the standards are met.[] This is true even for baby carriers, cradles, play pens, high chairs and other items bought specifically for use by infants and children.[] []

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[] [] [] [] [] [] [] [] [] [] Although the CPSC requires no testing and manufacturers may or may not perform their own tests, do not be mistaken, children's products are tested.[] They are tested in our own homes, with our children and grandchildren as test dummies.[] The cost of those tests can be a panicked child, bruised fingers, fractured skulls, or a dead child.[] In 2001, an estimated 69,500 children under the age of five were treated in U.S. hospital rooms for injuries associated with nursery products.[] According to CPSC, an average of 65 children under the age of five die each year in incidents associated with nursery products.[] Unintended injuries are the leading cause of death for children under the age of four.[] But, as Marla Felcher book reveals, many of these deaths are because of unsafe products. And, as the title of her book says, "It's No Accident."

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[] [] [] [] [] [] [] [] [] [] Too many unsafe children's products are on the shelves, in homes, and in daycare centers.[] CPSC's primary means for responding to a dangerous product is to issue a recall.[] However, as Ms. Lipin's story will tell you, the Commission is hesitant to issue recalls or even to recommend that stores voluntarily take dangerous products off their shelves.[] In the case of yo-yo balls, although the CPSC has received at least 392 incident reports of strangulation, eye injuries, and skin irritation due to yo-yo balls, the toys are still on store shelves.[] Instead of a culture of consumer protection, it seems there is a culture of caution and delay.[] Is the CPSC waiting for a child to die?[] []

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[] [] [] [] [] [] [] [] [] [] Even when a product is recalled, it remains a danger to too many children.[] A recent report by Kids in Danger shows that, in 2002, yet another child was killed by a crib that had been recalled in 1997.[] Unfortunately, once a recall is issued, only 10 to 30 percent of consumers respond to it because of inadequate notification, inspection, and enforcement activities.[] The crib that killed Danny had been recalled and the day care center inspected eight days earlier.

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[] [] [] [] [] [] [] [] [] [] I believe that we must work to keep dangerous products from ever making it onto store shelves or into nurseries, child care centers, or homes.[] That is why I introduced legislation, the Infant and Toddler Durable Product Safety Act - H.R. 2911, that would require infant and toddler products to receive a federal seal of approval before they are sold.[] This seal would demonstrate that those products have been independently tested and have met required national safety standards.[] I hope that when we return next year that we will be able to consider my bill and other potential solutions to the problems we will hear about today. Additionally, I believe we need to look for better ways to inform the people about dangerous products already on the market to make sure that not one more child - or family - has to experience a preventable tragedy.[]

For those reasons, I truly appreciate today's hearing. I look forward to hearing from our witnesses and about their ideas how to prevent what we know are no accidents.