

Woman Seeks Ban on Yo-Yo Balls

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BY JEFF STONE The Morton Grove Champion

When the U.S. Consumer Product Safety Commission did not recall what Lisa Lipin believes to be a dangerous toy she decided to take matters into her own hands.

Lipin said her son Andrew was playing with a Water Yo-Yo Ball when the cord wrapped around his throat nearly strangling him. She removed the toy by stretching the cord to get it over his head.

"He was left with strangulation marks for a few days after," said Lipin, a Skokie resident.

The next morning when Lipin went to file an incident report with the Product Safety Commission she said she was surprised to find out that they had already known about the potential risk and that the toy was under investigation.

"Our government is not doing its job protecting us," Lipin said. "We know it's dangerous but don't do anything about it. Do we have to have a kid that dies first?"

The product, which does not carry a brand name, has been banned in the United Kingdom. Canadian health officials have issued a voluntary recall.

In the United States, the Water Yo-Yo Ball is under investigation in Massachusetts, Colorado and Indiana. California and New York have issued warnings about the toy.

"We are investigating this product," said Ken Giles, spokesman for the Product Safety Commission. "We don't comment on details of an ongoing investigation so I cannot tell you what we are finding. I cannot even predict a timetable for when we will announce the results of our findings."

"We are still investigating Yo-Yo Water Ball incidents," Giles said. "We have many reports, we want more."

People can file a report by calling 800-638-2772 or by visiting http://www.house.gov/htbin/leave_site?ln_url=http://www.cpsc.gov

Not knowing when the investigation would be completed, Lipin decided to try to do everything she could to inform parents of the potential danger associated with the toy.

Her efforts have resulted in the toy being banned in District 68 schools in Skokie.

Lipin, who has two children at Devonshire School, contacted the district about the toy. Lipin said that Francis McTegue, assistant superintendent has advised all principals in the district to not allow Water Yo-Yo Balls on school grounds.

Lipin said she has seen Water Yo-Yo Balls on display in many Chicago area stores, although she bought hers in Florida.

RJS Enterprises, International, based in New Jersey, is a distributor of the item in the United States. Anyone can order water balls on its Web site. There are many U.S. distributors but the product is manufactured in China and Taiwan.

"It is not a real large item for us," said Rick Jaysalesky, the owner of RJS Enterprises. "We are a very small player in this game."

Jaysalesky said that if any city or state banned the toy they would not distribute to that area, but as long as there is no nationwide ban they will continue to distribute the toy.

He said that he was not aware of Lipin's exact situation but had heard of similar instances. He said the toy could be dangerous to young children but that there are warnings that explain this and therefore Lipin should not blame the product's manufacturers.

Jaysalesky said the ball carries a choking hazard warning and a clearly marked age recommendation of 6 and older. He said that it might be necessary that the warning be put on each individual product and not just the larger container, but that is not the current regulation.

"Why is a 5-year-old using a ball that is rated generally for 6- or 8-year-olds and older?" Jaysalesky said. "We do not allow 5-year-olds to drive a car and drink."

Jaysalesky said that the balls are intended for adults and older children. He said the toy is commonly used as a stress ball for executives and that he uses one.

"This woman is placing blame for not monitoring a product," Jaysalesky said. "I think parents need to be protective in what their kids are allowed to play with."

"Parents should not rely on the manufacturer in Taiwan," Jaysalesky said. "They should rely on their own common sense and read the box. They should read on the Internet and read about warnings before giving a child a new product."

Jaysalesky said the Water Yo-Yo ball is getting the safety attention only because it is a new product. He said that in the past items like pogo sticks, Pogs and even eggs were considered to be hazardous. Jaysalesky said that so far he has seen very little problems with the product.

One Niles retail store has ceased selling it since being notified about the dangers by Lipin.

To try to reach more people Lipin has been interviewed by one Chicago television station and has contacted U.S. Rep. Jan Schakowsky, D-9th, and the Kids in Danger Foundation.

"I had bought one for each of my grandchildren and as soon as I got off the phone with Lisa I called them and told them to throw the yo-yo balls away," Schakowsky said.

Schakowsky said that she does not believe the difference between 5- to 6-years-old is significant and that a child or an adult using the toy properly risks wrapping it around their neck as did Andrew Lipin.

"It is a dangerous product regardless of the age of the person using the product," Schakowsky said.

Schakowsky is the ranking Democrat on the House Commerce, Trade and Consumer Protection sub-committee, which directly oversees the CPSC. She said she is trying to pass legislation that would change the way products are monitored.

"The whole philosophy that we wait for an accident before taking action needs to be changed," Schakowsky said.

The Infant and Toddler Durable Product Safety Act was introduced by Schakowsky on July 25. The bill would require all products made specifically for infants and toddlers be tested and certified, and meet set safety standards before being marketed.

The bill would not change the way toys such as the Water Yo-Yo Ball are treated but Schakowsky said it is a step in the right direction.

Lipin also contacted Kids in Danger, a nonprofit organization founded five years ago to help protect children from dangerous products.

Nancy Cowles, a spokesperson for Kids in Danger, said that the complaints she has heard from parents regarding the toy include incidents of strangulation similar to Lipin's; even some where hospitalization was necessary. Also, incidents have been reported where children have drunk the water in the toy and it has been demonstrated that the contents are highly flammable.