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Handcrafted toy makers fear new lead paint law

Marcus Wohlsen ASSOCIATED PRESS Thursday, December 25, 2008

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SAN FRANCISCO | Worries over lead paint in mass-market toys made the holidays a little brighter for handcrafted toy makers last year, but now the federal government's response to the scare has some workshops fearful that this Christmas might be their last.

Without changes to strict new safety rules, they say, mom-and-pop toy makers and retailers could be forced to conduct testing and labeling they can't afford, even if they use materials as benign as unfinished wood, organic cotton and beeswax.

"It's ironic that the companies who never violated the public trust, who have already operated with integrity, are the ones being threatened," said Julia Chen, owner of the Play store in Palo Alto, which specializes in wooden and organic playthings.

In a memo released Wednesday, Consumer Product Safety Commission staffers recommended that the agency exempt some natural materials from the lead testing requirements.

Lead paint spurred the recall of 45 million toys last year, mostly made in China for larger manufacturers. Parents flocked to stores like the Playstore in the recall's aftermath searching for safer alternatives.

Lawmakers also responded. In August, President Bush imposed the world's strictest lead ban in products for children 12 or younger by signing the Consumer Product Safety Improvement Act.

Small toy makers strongly back the restrictions in the bill, which they say reflect voluntary standards they have long observed to keep harmful substances out of toys. But they never thought their products would also be considered a threat.

Under the law, all children's products must be tested for lead and other harmful substances. Toy makers are required to pay a third-party lab for the testing and to put tracking labels on all toys to show when and where they were made.

Those requirements make sense for a multinational toy manufacturer churning out thousands of plastic toys on an overseas assembly line, said Dan Marshall, co-owner of Peapods Natural Toys and Baby Care in St. Paul, Minn.

But a business that makes, for example, a few hundred handcrafted wooden baby rattles each year cannot afford to pay up to \$4,000 per product for testing, a price some toy makers have been quoted, he said.

Mr. Marshall and nearly 100 other toy stores and makers have formed the Handmade Toy Alliance to ask Congress and the federal agency that enforces the law to exempt small toy companies or those that make toys entirely within the U.S. from testing and labeling rules.

Failing that, they want the Consumer Product Safety Commission to preemptively declare unfinished wood, wool and cotton and food-grade wood finishes such as beeswax, mineral oil and walnut oil to be lead-free.

Rep. Bobby L. Rush, Illinois Democrat, lead sponsor of the legislation, says toy makers should not worry. Mr. Rush points out that the law already exempts products and materials that do not threaten public safety or health.



Ava Mar, 8, plays with a wooden train set at the Play store in Palo Alto, Calif. The store specializes in ...

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them or risk facing fines of \$100,000 per violation. Staff toxicologists at the product safety commission told agency commissioners in a memo released Wednesday that some unfinished natural materials should be considered lead-free. The materials include wood and fibers such as cotton, silk, wool and linen. The safety commission still must vote on the recommendations.

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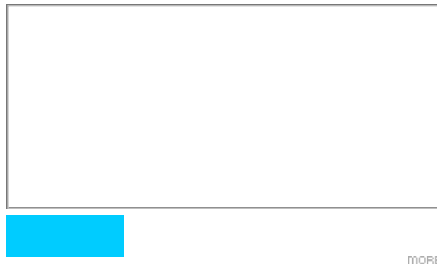
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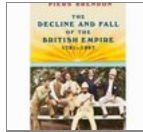
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