



Legislation Text

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Res. No. 958

Resolution calling upon the United States Consumer Product Safety Commission to establish lower total content levels of regulated chemicals for children's toys and to establish consistent standards for all children's products

By Council Members Richards and Gentile

Whereas, The regulation of chemicals in consumer products is a complex and multi-layered regime, where specific chemicals and the products containing such chemicals can be subject to a number of different federal and state laws and regulations; and

Whereas, In New York, chemicals used in children's products and the actual products currently fall under the purview of no less than five different federal and State statutes administered by four different agencies; and

Whereas, Despite this complex regulatory structure, many environmental and health advocates believe that existing laws and regulations of chemicals are wholly inadequate to protect consumers and, in particular, children; and

Whereas, According to the Agency for Toxic Substances and Disease-a division of the United States Department of Health and Human Services-children can be especially susceptible to the adverse effects of environmental toxicants, due their higher metabolic rate, increased dermal exposure, shorter stature causing them to live and play closer to the ground where contaminants are found, and the ability of some toxicants to more readily penetrate children's skin; and

Whereas, The United States Consumer Product Safety Commission (CPSC) regulates the manufacturing and distribution of consumer products, including children's toys and products, via the Consumer Product Safety

Act and the Consumer Product Safety Improvement Act; and

Whereas, Under the Consumer Product Safety Improvement Act, the CPSC promulgated rules that adopted safety standards issued by the American Society for Testing and Materials that specify maximum allowable levels of antimony, arsenic, cadmium, cobalt, lead, and mercury in children's toys; and

Whereas, These safety standards provide for testing of soluble levels of certain chemicals in toys, a form of testing that simulates a specific form of exposure and can allow a material with a high content of chemicals of concern in materials meant for children; and

Whereas, Total content standards, which are more easily tested than solubility standards, can encourage manufacturers to make design changes to enable inherently less harmful materials to be used, and thus would provide better protection for children; and

Whereas, The safety standards set forth in CPSC's regulations only apply to children's toys, not children's products such as jewelry, bottles, and clothing; and

Whereas, Exposure to harmful chemicals in children's products poses as great a risk to children as does exposure to harmful chemicals in toys, and

Whereas, Antimony can cause respiratory and cardiovascular damage, skin disorders, and gastrointestinal disorders; and

Whereas, Arsenic can cause skin lesions, cancer, developmental delays, neurotoxicity, diabetes, cardiovascular disease, and lung cancer; and

Whereas, Cadmium can result in kidney disease, bronchiolitis, emphysema, and damage to the liver, lungs, bone, immune system, blood, and nervous system; and

Whereas, Cobalt can cause cardiomyopathy and gastrointestinal effects from chronic oral exposure; and

Whereas, Lead can cause behavior and learning problems, lower intelligence quotients and hyperactivity, slowed growth, hearing problems, and anemia in children; and

Whereas, Mercury can cause damage to brain development, impacts on cognitive thinking, a decrease in

fine motor and visual skills, and muscle weakness; and

Whereas, Heavy metals can build up in the body over years, and other sources of exposure to these chemicals can vary widely for children; now, therefore, be it

Resolved, That the Council of the City of New York calls upon United States Consumer Product Safety Commission to establish lower total content levels of regulated chemicals for children's toys and to establish consistent standards for all children's products.

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