July 12, 2011

Dear Chairman Tenenbaum:

On behalf of organizations dedicated to the health, safety and well-being of our nation's children and families, we would like to express our support for the Consumer Product Safety Commission's (CPSC) staff recommendation that reducing the total lead limit for children's products to 100 parts per million (ppm) is technologically feasible and should be mandated by August 14, 2011, as required by the Consumer Product Safety Improvement Act (CPSIA). We encourage the Commissioners to vote to adopt this recommendation.

Under the CPSIA, the CPSC is directed to reduce the allowable levels of lead in children's products in August 2011 to 100 ppm, "unless the Commission determines that a limit of 100 parts per million is not technologically feasible for a product or product category." Since the law went into effect, the Commission has held a public hearing to receive views from all interested parties, including manufacturers, laboratories, and public health advocates. The Commission has had the opportunity to review the available science, consult with experts, and receive written and oral comments before recommending that all children's products meet the 100 ppm lead content limit. Our organizations commend the CPSC for taking such a thoughtful and methodical approach in determining the technological feasibility of the 100 ppm lead standard.

There is no safe level of lead exposure and the brain damage caused by lead exposure is permanent and irreversible. Lead is a potent neurotoxin that bioaccumulates in the body. Few options exist for treating lead exposure at high levels, and these treatments have potentially dangerous side effects. No options exist for treating lead exposure at low to moderate levels. When averaged across even a modest population of children, the public health harm caused by lead exposure is significant. Reducing the lead content limit, as required by the CPSIA, will prevent lead exposure among these sensitive groups and result in a healthier, more productive population.

The CPSC has evaluated the technological feasibility of limiting lead content in children's products to 100 ppm in a variety of materials including plastics, glass, metals and other commonly used materials and invariably determined that each of these materials is capable of meeting the new limit. CPSC research has determined that the lead content in the majority of children's products is already very low and would qualify for the 100 ppm standard without changing the design or materials of the product. In addition, materials and technologies already exist to make currently noncompliant products meet the 100 ppm standard. Finally, data submitted by prominent laboratories at the CPSC hearing showed that the vast majority of components used in children's products tested at or below 100 ppm. Specifically, one laboratory found that 96.29 percent of metal components, 97.46 percent of glass and ceramic components, and 99.4 percent of plastic components would comply with the new 100 ppm lead limit. It is evident that limiting lead in children's products is not only technologically feasible, but necessary to ensure a level playing field for manufacturers and ensure the health and safety of our nation's children.

Again, we strongly support the staff recommendation that meeting the 100 ppm lead content limit for children's products is technologically feasible. We encourage you to adopt this recommendation and we look forward to continuing to work with the CPSC to protect consumers from unsafe products in the future.

Sincerely,

American Academy of Pediatrics
Consumer Federation of America
Consumers Union