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*Unsafe Toys
By Mrs. Judy Braiman
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THE ROCHESTER COMMITTEE FOR SCIENTIFIC INFORMATION
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Summary

It is estimated that 700,000 injuries occur yearly in this country from children's toys. In recent years some measures have been taken by government agencies to protect children from the exceptionally hazardous toys. The Child Protection and Toy Safety Act of 1969 enables the Secretary of Health, Education, and Welfare (HEW) to label certain toys as dangerous and to take steps toward their removal from the market. The Food and Drug Administration (FDA) has provided guidelines for the purchase of safe toys.

Regulations

Currently, every item manufactured as a toy can be offered on the open market without having to first meet safety standards of any sort. The Toy Manufacturers of America, the trade association of the toy industry, had taken the stand that any legislation setting standards for toy safety was unnecessary and unwarranted. Recently, however, this organization has contracted with Arthur D. Little, Inc. of Cambridge, Mass. to set up voluntary toy standards to be issued during 1973.

On November 6, 1969, Congress passed the Child Protection and Toy Safety Act (Public Law 91-113). The act is designed "...to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards...". The Secretary of HEW is empowered to ban a toy or other article "...if it presents an imminent hazard to the public health...". An item is considered to "...present an electrical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture may cause personal injury or illness by electrical shock". An article may be determined to present a mechanical hazard if "...its design or manufacture presents an unreasonable risk of personal injury or illness 1) from fracture, fragmentation, or disassembly of the article; 2) from propulsion of the article (or any part or accessory thereof); 3) from points or other protrusions, surfaces, edges, openings, or closures; 4) from moving parts; 5) from lack or insufficiency of controls to reduce or stop motion; 6) as a result of self-adhering characteristics of the article; 7) because the article (or any part or accessory thereof) may be aspirated or ingested; 8) because of instability; or 9) because of any other aspect of the article's design or manufacture". A toy may present a thermal hazard "...from heated parts, substances, or surfaces".

The Act provides that the purchaser of a banned item shall be reimbursed the purchase price and "...reasonable and necessary transportation charges incurred in its return".

A Toy Review Committee has been set up within the Bureau of Product Safety of the FDA, Department of HEW, to administer this law. This committee has banned close to 500 toys between December 21, 1970 and August, 1972 as hazardous to children.

Typical examples of unsafe toys are dolls with straight pins holding on hair bows and other ornaments; stuffed animals with eyes held on by pins or loosely sewed; pacifiers filled with contaminated water; toy ovens which reach internal temperature of 600°F; chemistry sets with unlabeled chemicals and toys decorated with paints having a high lead content.

Purchasing Guidelines

The Food and Drug Administration has issued the following guidelines for purchasing toys:

1. Choose a toy appropriate for the child's age and development. (Many toys have age-group labels on the package.)
2. Remember that younger brothers and sisters may have access to toys bought for older children.
3. Check fabric labels for non-flammable, flame-retardant, or flame-resistant notices.
4. Check instructions. They should be easy to read and understand. Instruct the child in the proper use of any toy that might cause injury through misuse.
5. Avoid toys that produce excessive noise. (Even toy cap pistols fired too close to a child's ear can cause damage.)
6. Avoid shooting games, especially those involving darts and arrows, unless the games are played under parental supervision.
7. When choosing a toy for small children, make sure it
 - is too large to be swallowed;
 - does not have detachable parts that can lodge in the windpipe, ears, or nostrils;
 - does not have sharp edges or points;
 - is not apt to break easily into small pieces or leave jagged edges;
 - has not been put together with easily exposed straight pins, sharp wires, or nails;
 - is not made of glass or brittle plastic;
 - is not poisonous or toxic;
 - does not have exposed flames or build up heat to dangerous levels;
 - does not have flimsy electrical wiring;
 - does not have parts that can pinch fingers or catch hair;
 - for children under 2, avoid long cords and plastic bag materials.

8. Choose carefully. Any toy misused can be dangerous. There can be no substitute for parental interest and supervision."

Conclusion

Although the actions which the government agencies have taken to date are heartening, it should be noted that nearly all of the 141 toys banned before December, 1971 showed rather obvious mechanical and thermal hazards. And although lead-free paint labels are beginning to appear on items, too little attention has been paid to toys containing toxic and allergenic substances. Laboratory facilities for their identification are not readily available to the average consumer. This is all the more reason for close scrutiny and strong enforcement by the Toy Review Committee before items appear on the open market.

Reporting Unsafe Toys

If anyone wishes to report a toy which he considers to be unsafe, he can send the information to:

L. J. Chisholm
 Toy Review Committee
 Bureau of Product Safety
 Food and Drug Administration
 5401 Westbard Avenue
 Bethesda, Maryland 20016

Be sure to describe the toy and why you think it is dangerous. Include:

1. The name of the toy
2. Model number, if any
3. Name and address of the manufacturer or distributor
4. Name of the store carrying the toy.

Anyone who wishes to receive copies of banned toy lists can write to the same address to obtain them.

References

- (1) Child Protection and Toy Safety Act, November 6, 1969, Public Law 91-113
- (2) Consumer News, Vol. 1, No. 9, November 1, 1971. Office of Consumer Affairs, Executive Office of the President, Virginia Knauer, Director.
- (3) Consumer News, Vol. 1, No. 11, December 1, 1971. Office of Consumer Affairs, Executive Office of the President, Virginia Knauer, Director.
- (4) Life Magazine, November 12, 1971, Dangerous Toys.
- (5) Edward M. Swartz, Toys That Don't Care, Gambit, Boston, Mass., 1971