



TROUBLE IN TOYLAND

The 32nd Annual Survey of Toy Safety

November 2017
Executive Summary

Florida PIRG
Education Fund

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For over 30 years, U.S. PIRG Education Fund has conducted an annual survey of toy safety, which has led to over 150 recalls and other regulatory actions over the years, and has helped educate the public and policymakers on the need for continued action to protect the health and wellbeing of children.

Toys are safer than ever before, thanks to decades of work by product safety advocates, parents, the leadership of Congress, state legislatures, and the Consumer Product Safety Commission (CPSC).

Among the toys surveyed this year, we found potential choking hazards, and two products with concentrations of lead exceeding federal standards for children's products. We also found data-collecting toys that may violate children's privacy laws. This report not only lists the potentially dangerous toys that we found this year, but also describes why and how the toys could harm children.

The continued presence of hazards in toys highlights the need for constant vigilance on the part of government agencies and the public to ensure that unsafe toys do not harm children.

Researchers also examined toys recalled by the CPSC between October 2016 and October 2017 and looked at whether they appeared to still be available for sale online. Researchers did not find any recalled toys for sale online. However, parents should watch out for recalled toys that could still be in their homes. Over the past 12 months, the CPSC, in cooperation with manufacturers and distributors, has announced over 30 recalls of toys and children's products totaling over 6.5 million units.

Standards for toy safety are enforced by the CPSC. Safety standards include limits on toxic substances in children's products, size requirements for toys for small children, warning labels about choking hazards, measures to keep magnets and batteries inaccessible, and noise limits.

U.S. PIRG Education Fund staff examined toys to confirm that they are safe. We discovered that unsafe toys remain widely available. The problems we found include:

- **Lead.** Even low levels of lead in blood have been shown to undermine IQ, attentiveness, and academic achievement. Our shoppers identified two fidget spinners that contained excessive levels of lead. Unfortunately, the CPSC chose not to classify these fidget spinners as toys so they will not be regulated under federal standards for lead in children's products. We believe that these fidget spinners are marketed for children under 12 years and should therefore be classified as toys.
- **Small parts** are pieces that might block a child's airway. Children, especially those under age three, can choke on small parts. Our shoppers identified several toys that contain

small parts, but do not have any warning label at all. These included a peg game as well as golf and football travel games.

- **Balloons** are easily inhaled in attempts to inflate them and can become stuck in children's throats. Balloons are responsible for more choking deaths among children than any other toy or children's product. We found five balloon sets on store shelves that are either marketed to children under eight or have misleading warning labels that make it appear that they are safe for children between ages three and eight.
- **Privacy-Invasive Toys:** We alert parents and toy givers, for the first time, to so-called "connected toys" that may violate children's privacy and other consumer protection laws. As more and more products are part of the "Internet of Things," data collection and the sharing of consumer information become greater concerns. As an example, we list a doll, "My Friend Cayla," which has been banned in Germany for privacy violations and is the subject of a complaint by several consumer groups to the U.S. Federal Trade Commission because it may violate the Children's Online Privacy Protection Act. In July, the Federal Bureau of Investigation (FBI) issued a warning to consumers to "consider cyber security prior to introducing smart, interactive, internet-connected toys into their homes."

Despite recent progress in making toys safer, toys are still being recalled for hazards such as overheating and choking hazards. To keep children safe from potentially hazardous toys, there is still more to do.

Policymakers should continue building upon recent progress in the strengthening of toy safety standards.

- Maintain the CPSC's funding and authorities to protect the public; and,
- Understand that regulations protect health and safety.

The CPSC should improve recall effectiveness:

- Engage in efforts to increase consumer and researcher awareness of the public hazard database SaferProducts.gov;
- Aggressively seek to increase recall effectiveness by making sellers agree to conduct more effective outreach campaigns that stress the real hazard posed, rather than simply promote the purported good will of the firm;
- Perform regular online sweeps checking for the availability of previously-recalled toys; and,
- Hold companies reselling recalled products accountable, which also sends a message to others.

The CPSC should continue to enforce and improve strong safety standards:

- Continue to enforce vigorously the Consumer Product Safety Improvement Act's mandatory standards for toys, including strict limits on lead and lead paint in any toys, jewelry or other articles for children under 12 years;
- Vigorously enforce the Consumer Product Safety Improvement Act's permanent ban on the use of three specific phthalates in all toys and children's products;
- Enlarge the small parts test tube to be more protective of children under three;

- Change the small-ball rule to include small round or semi-round objects, and not just “balls” in the strictest definition, since these toys pose the same hazards as small balls (this is especially true of rounded toy food, since it is “intended” to be eaten);
- Enforce the use of the United States’ statutory choke hazard warning label, as many toys now are wrongly labeled with less explicit foreign warnings; and
- Continue to enforce CPSC rules requiring online warning labels.
- Classify all fidget spinners as toys and hold them to federal standards for children’s products.

Parents and caregivers can also take steps to protect children from potential hazards. We recommend that parents:

- Subscribe to email recall updates from the CPSC and other U.S. government safety agencies available at www.recalls.gov;
- Shop with U.S. PIRG Education Fund’s Toy Safety Tips, available at toysafetytips.org;
- Examine toys carefully for hazards before purchase – and don’t trust that they are safe just because they are on a store shelf. Check the CPSC recall database at CPSC.gov before buying toys online;
- Report unsafe toys or toy-related injuries to the CPSC at Saferproducts.gov;
- Remember, toys on our list are presented as examples of previously recalled toys only. Other hazards may exist;
- Review the recalled toys list in this report and compare it to toys in your children’s toy boxes; and
- Put small parts, or toys broken into small parts, out of reach. Regularly check that toys appropriate for your older children are not left within reach of children who still put things in their mouths.
- Eliminate small magnet hazards from your home.
- Be aware that toys connected to the Internet, as well as apps and websites, may be collecting information about children inappropriately. Learn more about the Children’s Online Privacy Protection Act (COPPA).