



PROTECTING AMERICAN FAMILIES FROM HARMFUL LEAD-BASED PRODUCTS

Ever since the U.S. government ratified permanent normalized trade relations (PNTR) with China, Chinese consumer products have flooded the U.S. market. Unfortunately, legislators and negotiators for PNTR failed to ensure that strong safety and health standards for products entering the U.S. were enforced by the U.S. government as a precondition to passing PNTR, despite considerable warning that China had a weak safety and health screening process for consumer products and that Chinese companies often cut corners to reduce costs. And the problem has gotten worse, as both Chinese and U.S. media have widely reported this past year on food and consumer product safety failures that have endangered the lives of citizens in both countries.

In the United States, increased trade with China has directly impacted the safety of children's toys. Over 80 percent of toys in the U.S. now come from China, an increase of approximately 20 percent from when Congress approved PNTR with China late in the Clinton Administration. Over 140 of the 152 consumer product recalls for unsafe lead materials issued in the past 6 years have been for products manufactured in China. There are currently 400,000 children suffering from lead poisoning in the U.S. This highlights a systemic problem with how product safety is monitored and checked and violations are enforced.

Barack Obama has been a consistent champion of strengthening laws to reduce the threat that lead-based products have for our children's health and safety. As president, Obama will build on his long-standing commitment to removing lead from children's products and homes to ensure that all American children are given the best opportunity to succeed in the future and he will push China and other exporters to enforce product health and safety standards.

Record of Advocacy and Achievement

Illinois State Senate: Barack Obama was a leader in the fight to combat lead poisoning in Illinois, which occurs more frequently than in any other state. In the Illinois State Senate, Obama championed successful measures to require greater inspections of older homes for dangerous lead levels, create a lead poisoning prevention fund, and increase fines for non-compliance with clean-up regulations related to lead paint. Obama also voted to create a Lead Poisoning Prevention Commission to implement a comprehensive strategy to reduce dangerous lead exposure.

United States Senate: In 2005, Obama introduced the Lead-Free Toys Act, which would require the Consumer Product Safety Commission to ban children's products containing more than a trace amount of lead. Following news reports that millions of Chinese-made toys were being recalled because of lead paint, he has also directly pressured toy manufacturers and Bush administration officials to do a better job protecting American children from the threat of imported toys, especially those manufactured in China.

In 2006, Barack Obama introduced the Lead Poisoning Reduction Act, which would help protect children from lead poisoning by requiring all non-home-based child care facilities, including Head Start programs and kindergartens, to be lead-safe within five years. The legislation would also establish a \$42.6 million grant program to help local communities make these facilities safe. The Environmental Protection Agency (EPA) recently announced support for Obama's proposal to remove toxic lead from childcare, pre-school and

kindergarten facilities.

Barack Obama has also successfully fought to require the EPA to publish long-overdue rules for how contractors involved in the renovation of homes should deal with lead paint hazards. After an Obama measure became law in 2005, the EPA finally published proposed rules, which Congress had previously ordered be published in 1996, to limit harmful lead paint exposure. When the rules are finalized, they will prevent 28,000 lead-related illnesses each year, resulting in an annual net economic benefit of more than \$4 billion.

Barack Obama's Plan to Keep Children Safe from Lead Toys

Ban Lead in Children's Toys: Barack Obama will sign into law his Lead-Free Toys Act to ban the sale of children's products that contain more than a trace amount of lead. The Obama measure would classify lead in children's products as a hazardous material.

Require Independent Testing of Imported Toys: The Consumer Product Safety Commission (CPSC) only has 15 inspectors assigned to monitor foreign imports, despite the incredible growth of U.S. consumer product imports. And the CPSC lacks any required testing of toys, which means that only private companies have responsibility for testing toys and informing the government of potential problems. As recall after recall has shown us over the past few years though, this weak system is leaving too many children in danger. As president, Barack Obama will mandate independent, third-party system of all toys before they enter the United States. He will also work with the Chinese government to establish a better system for both countries to monitor and act when dangerous toys are identified. Finally, Obama will examine all future and past trade agreements, and task the U.S. Trade Representative to work with the World Trade Organization (WTO), to develop international toy safety standards.

Double Funding for the Consumer Product Safety Commission and Increase Number of Investigators:

The CPSC is severely underfunded and lacks the investigative resources it needs to effectively protect the safety of American families. For example, the CPSC only has 401 investigators today, compared to 978 in 1980. Barack Obama will strengthen the resources available to the CPSC by doubling funding for the Commission, working to modernize its facilities and significantly increasing the number of investigators tasked with safeguarding the safety of consumer products, especially those imported from overseas.

Expand Regulatory Powers of the CPSC: As the *Chicago Tribune* reported earlier this year, the CPSC lacks important powers to regulate defective products in a quick and efficient manner that reduces the probability that more children will be affected. Before the CPSC can issue a recall notice, it must first notify the company of the problem and negotiate on how to inform the public of the problem – a process that gives companies considerable power to influence what actions the CPSC takes. And while the CPSC is negotiating with companies, dangerous products continue to be sold with no mention of the potential hazards to the public. Barack Obama will empower the CPSC to immediately inform the public of any dangerous consumer products without consulting companies if there is imminent harm to consumers. Obama will also streamline the process for companies to respond to CPSC's inquiries from 30 days to 10 days.

Increase CPSC Fines on Violators: Currently, companies that fail to disclose known safety hazards with consumer products are subject to a maximum \$1.85 million fine, a fairly small amount for large multi-national corporations. Barack Obama will work with Congress to increase this fine to at least \$20 million.

Ensure Competent and Professional Leadership of the CPSC: As president, Obama will also ensure that CPSC leadership looks out for the best interest of American consumers and is not stacked with former employees of the companies that the CPSC regulates. Early this year, President Bush nominated Michael Baroody, the top lobbyist for the National Association of Manufacturers, a large industry trade association, to chair the CPSC. The current Chair of the CPSC, Nancy Nord, actually opposed congressional efforts to double the budget of CPSC to improve product safety and ban lead from children's toys. Barack Obama will only

appoint qualified individuals to his administration, and ensure that his appointees serve the public interest. No political appointees in an Obama Administration will be permitted to work on regulations or contracts directly and substantially related to their prior employer for two years. And no political appointee will be able to lobby the executive branch after leaving government service during the remainder of the administration. These measures will finally close the revolving door in Washington, and ensure that corporations don't have more input than the American people in federal rulemaking.

Remove Potential Conflicts of Interest with CPSC Employees: As numerous reports have revealed, CPSC employees have taken multiple trips paid for by top industry lobbying organizations, including the Toy Industry Association. Gifts from registered lobbyists harm the political process because they give lobbyists an avenue for building and maintaining relationships that advance their agendas. As president, Barack Obama will issue an executive order banning registered lobbyists or lobbying firms from giving gifts in any amount or any form to executive branch employees.