



**Safe Kids Worldwide**  
**Comment to the Consumer Product Safety Commission**  
**Federal Register Notice Docket No. CPSC-2017-0010**  
**Safety Standard Mandating ASTM F963 for Toys**  
**March 2, 2017**

**Re: Consumer Product Safety Improvement Act-F963-16, Proposed Rule on New Standards for Toy Safety**

Safe Kids Worldwide supports the Consumer Products Safety Commission's (CPSC) latest standards to make toys safer, and the kids who play with them.

The new standards arise from the central theme of the Consumer Product Safety Improvement Act of 2008 (CPSIA): that the focus of consumer product safety should be on products in a child's environment. The new requirements in F963-16 include revisions and updates for various types of toys and toy components including toy chests, batteries, magnets, sound producing toys, projectiles, small wheeled ("ride-on") toys, mouth actuated products and others. In addition, this new standard will require third party testing to ensure the safety of consumer toys for kids, for more toys than ever—these new sections include rules for "expanding materials" and "toy chests."<sup>1</sup>

Together, we have made extraordinary progress in making toys safer working with the Commission, the American Society for Testing and Materials (ASTM), manufacturers, the Toy Industry Association, organizations such as Kids in Danger, the Consumer Federation and others, led by the CPSC. In 2006 there were 62 toy recalls, involving 117 million units, compared to only 17 in 2015, involving 370,000 units.<sup>2</sup> Such toys include those with small pieces that can detach and become a choking hazard, toys with lead paint content, and toys with detachable magnets that, when swallowed, could be extremely dangerous.

But notwithstanding the progress, there were still around 185,000 ER visits in 2015 for toy-related injuries for children under 15 years of age—this is why rolling review of toys is so important.<sup>3</sup>

While some of the items covered are "e-products," some are products that have been around for some time—toy chests are just one example. In 2009, a Pennsylvania mother found her 18-month-old daughter stuck inside of a toy chest and was unable to breath. The tragedy left their daughter with a severe psychomotor mental disability and unable to speak.<sup>4</sup> The new standards will address such dangers by requiring features making it harder for a child to be trapped in one, as well as mandating compliance and testing.

Another toy which is addressed are "ride-on" toys. According to a 2014 report in Clinical Pediatrics, ride-on toys accounted for 42.5 percent of hospital admissions between 1990-2011 involving the category of toys, as well as 34.9 percent of injuries.<sup>5</sup> The proposed rule, for example, requires more reliable spacing between wheels to improve on stability and a more stringent weight test for them.<sup>6</sup>

Thus, the stakes are high, which is why rule F963-16 is so important, so is the CPSIA-driven focus on child oriented products. As new risks emerge we must adapt our laws and regulations to reflect that.

Such items include products powered by button batteries or by lithium batteries such as hoverboards

and phones.<sup>7 8</sup> One product which has emerged as a potential danger to kids are drones sold as a toy. In the UK, a drone's propeller sliced through the eye of an 18-month-old (which was in fact operated by an adult),<sup>9</sup> but they are marketed on-line as toys with the recommended age level as 14 years and up.<sup>10</sup>

Rule-making under CPSIA is just one example demonstrating the important role of government and public-private partnerships such as ASTM. It should come as no surprise that an organization named "Safe Kids" is deeply appreciative of the wise action of Congress in passing CPSIA with its emphasis on the smallest consumers.

Respectfully, we urge the CPSC to make rule F963-16 effective as one way to end preventable injuries.

---

\*Safe Kids intern Laura Fritsche assisted with the research for this comment.

<sup>1</sup> Consumer Product Safety Improvement Act, F963-16. 4.0-4.1, Accessed 02.27.2017, Available at <https://www.gpo.gov/fdsys/pkg/FR-2017-02-02/pdf/2017-02147.pdf>.

<sup>2</sup> Kids in Danger, "Product Hazards-Toys," Accessed 02.28.2017, [www.kidsindanger.org/product-hazards/toys/](http://www.kidsindanger.org/product-hazards/toys/).

<sup>3</sup> Consumer Product Safety Commission. "Toy-Related Deaths and Injuries Calendar Year 2015." November 2016. Accessed 02.27.2017, available at <https://www.cpsc.gov/content/toy-related-deaths-and-injuries-calendar-year-2015>.

<sup>4</sup> Born M, "Cranberry girl severely injured by trunk lid in 2009 dies," *Pittsburgh Post-Gazette*. October 5, 2013. Accessed 03.02.2017, Available at <http://triblive.com/news/alleggheny/4819251-74/family-camryn-girl>.

<sup>5</sup> Abraham V, Gaw, C, Chounthirath T, Smith G., Toy-Related Injuries Among Children Treated in US Emergency Departments, 1990-2011. 30 November 2014. Accessed 02.27.2017, available at <https://www.ncbi.nlm.nih.gov/pubmed/25452624>.

<sup>6</sup> Consumer Product Safety Improvement Act, F963-16. 4.17. Accessed 02.27.2017, Available at <https://www.gpo.gov/fdsys/pkg/FR-2017-02-02/pdf/2017-02147.pdf>.

<sup>7</sup> Consumer Product Safety Commission, "Hoverboard LLC Recalls Self-Balancing Scooters/Hoverboards Due to Fire Hazard." Accessed 02.23.2017, available at <https://www.cpsc.gov/id/recalls/2016/hoverboard-llc-recalls-self-balancing-scooters-hoverboards>.

<sup>8</sup> Consumer Product Safety Commission, "Cell Phones." Accessed 02.23.2017, available at <https://www.cpsc.gov/recall-products/cell-phones>.

<sup>9</sup> Rudge, D, "Parents Warn About Dangers of Drones After 18-Month-Old Son Loses Right Eye In Horrific Accident," *Huffington Post UK*, Accessed 03.02.2017. Available at [http://www.huffingtonpost.co.uk/2015/12/01/toddler-drone-eye-blind\\_n\\_8686366.html](http://www.huffingtonpost.co.uk/2015/12/01/toddler-drone-eye-blind_n_8686366.html).

<sup>10</sup> An example is the Quadcopter Drone, sold on amazon.com for \$39.99, Accessed 03.02.2017. Available at [https://www.amazon.com/JJRC-Quadcopter-Drone-Headless-Return-Feature/dp/B01N103IG2/ref=sr\\_1\\_2?s=toys-and-games&ie=UTF8&qid=1488475874&sr=1-2-spons&keywords=quadcopter+drone&psc=1](https://www.amazon.com/JJRC-Quadcopter-Drone-Headless-Return-Feature/dp/B01N103IG2/ref=sr_1_2?s=toys-and-games&ie=UTF8&qid=1488475874&sr=1-2-spons&keywords=quadcopter+drone&psc=1). The drone in the UK story was a Quadcopter product.