

icphso update

News and information for members of the International Consumer Product Health and Safety Organization

Newsletter Editor, Ross Koeser

Third Issue 2004

President's Message

I am using my President's message to personally invite you to attend the 2005 ICPHSO Annual Meeting and Symposium to be held February 22-25, 2005 in Orlando, Florida! Our planning committee has again put together an outstanding program!

Highlights include sessions on international enforcement rules; product testing; recall management; age grading; voluntary standards; the safety of premiums; the power of partnerships in consumer safety; and other emerging issues.

This year's events begin with a full-day seminar on Retailers and Safety, exploring the roles and best practices of retailers in this area. Based on the concept that consumer product safety is a shared responsibility – and building on a popular and thought-provoking workshop held in 2004 – the day's speakers will focus on what retailers can, should be, and are already doing in the name of consumer safety.

And as a new feature of the Symposium Program this year – a two-part, in-depth tutorial has been added for a focused look at Creating Safe Products through risk assessment and hazard reduction – offering both theory and practical applications.

Hal Stratton, Chairman of the Consumer Product Safety Commission has again been invited to be a keynote speaker at the meeting and Mr. Jim Guest, President of Consumers Union has accepted our invitation to also keynote the 2005 Symposium. Consumers Union is publisher of Consumer Reports magazine, and an active consumer safety and information organization so he brings an important perspective to our program.

Add to this a ½ day CPSC Workshop and the ABA seminar and I am sure you will agree that we have a compelling program planned. As individuals dedicated to product safety, it is time well spent.

I hope that you will join us in Orlando!

Joan Lawrence
ICPHSO President (2004-05)

ICPHSO to hold 1st Meeting Outside of the United States

ICPHSO with the support of the law offices of Simmons & Simmons will hold their first European Meeting, Thursday November 11, 2004 in London. The Symposium is entitled "Product Safety: Enforcement and Notification; A Transatlantic Perspective."

This symposium represents a unique opportunity to hear and exchange views with the key decision makers in the formulation and enforcement of product safety policy in the United States, the European Union, Canada and the United Kingdom and be involved in discussing recent and proposed developments in transatlantic product safety requirements.

- At the symposium, the Chairman of the U.S. Consumer Product Safety Commission will lead a frank discussion of reporting requirements in the American market. For years, industry has asked for clearer guidance on what triggers a compulsory safety report to the regulators. Chairman Stratton and his staff will discuss what options they are considering to provide direction to industry selling products in the States.
- For the first time, notification of unsafe consumer products are required under the revised General Product Safety Requirements (GPSR). We will have the views of the Director General of DG for Health and Consumer Protection of the European Commission on the prospects and challenges of the harmonized EU product safety regime.

Keynote speakers will include the Chairman of the US Consumer Product Safety Commission, the Director General of the Health and Consumer Protection DG of the European Commission, the Head of Product Safety, Health Canada, and the Head of the UK Trading Standards Institute. In addition, experts involved in the promulgation and enforcement of product safety requirements such

as legislators, lawyers, consultants, standards developers, manufacturers and consumer professionals will participate in panel discussions and workshops on current issues in product safety. There will be interactive break-out sessions during the symposium, a dinner preceding the event on the 10th November and a cocktail party following the event during which participants will have the opportunity to network with the key players in the transatlantic product safety arena.

For further information please contact Virginia Spittler at ICPHSO@aol.com.

From The Editor's Desk

The current US political stove is not warming up - it is red hot. With the debates over and the elections right around the corner we are getting ready to elect those men and women that will be our future leaders. Our main job is to study the issues and participate in our democratic process by voting. In a sense ICPHSO is also a representative form of government/leadership. Our Board of Directors are elected and the Board tries hard to ensure that they equally represent our membership ie. Government, retailers, manufacturers, consumer organizations, testing laboratories, consultants, etc. Here's the point. A strong healthy diverse Board is vital to the continued success of our organization. This is the time of year our Nominating Committee, headed by Past President Bob Waller is accepting requests to serve on the Board for a three-year term. Hey, throw your hat into the ring. If you are a member of ICPHSO and interested in the possibility of serving, please contact Bob Waller at: rwaller@ahint.com.

Member News

Alan Schoem Retires from CPSC

Alan Schoem, CPSC's Director of Compliance for the past seven years has announced his retirement from CPSC after 31 years of public service at the Commission. Alan has accepted a position which began September 7, 2004, with Marsh USA, part of the Marsh & McLennan Companies, Inc., a global professional services firm. Marsh has a consulting division and Alan will be the managing consultant in their Washington, DC office. Among other things he will be advising firms on reporting, recalling and

establishing procedures to stay out of trouble with CPSC.

Alan stated in an email to CPSC staff, "It was not an easy decision to leave CPSC which has been my "family" for so long. I have thoroughly enjoyed every moment at CPSC – well, nearly every moment. I was always fortunate to have had great bosses who let me speak my mind and express my view, and I guess it worked out ok. Though you hear it from everyone who leaves, I'll say it again: The staff at CPSC is the best, most dedicated, hardworking and totally supportive of CPSC's mission of protecting consumers. I will miss being a part of the CPSC family but I intend to promote product safety in my new career and when my post employment restrictions end, I will be directly involved with CPSC."

Jack Walsh, ICPHSO Vice President Recuperating from Triple By-pass Surgery

While visiting his sister in Pennsylvania, Jack Walsh, Executive Director of The Danny Foundation, experienced tightness in his chest. His wife, Michele and his sister, Patricia, encouraged him to seek medical treatment. But, like most men, Jack chose to drive to his alma mater in Wilkes Barre for a visit with friends. When he returned, his sister had called a doctor friend who told Jack to go to the emergency room NOW. After tests, it was determined Jack needed triple by-pass surgery. Jack's two week vacation ended up being almost 6 weeks before he was cleared to fly home to California. Since returning home, Jack in chomping at the bit to return to work, but his cardiologist has not released him yet. He is expected to return to work in the next month.

All of Jack's ICPHSO friends are thankful for his successful recovery and look forward to seeing him in Orlando.

Jack Walsh is currently Executive Director of The Danny Foundation responsible for leading a start-up organization in the area of crib and child product safety. He works closely with consumers, the U.S. Consumer Product Safety Commission and the juvenile product industry to improve standards for baby cribs and other juvenile products.

Commissioner Gall Leaves CPSC

CPSC Commissioner Mary Sheila Gall left the agency October 1, approximately one year before her term expired. She plans to move back to her native Buffalo, NY – close to her family and involve herself in volunteer work in schools.

Mary Gall was appointed to the Commission in 1991 by then President George Bush. President Clinton gave her a second term in 1999.

Home Safety Council and Lowe's Receive Halo Cause Marketing Award

Award Recognizes Great Safety Adventure Program for Bringing Home Safety Lessons to Thousands of Children Nationwide

The Home Safety Council and Lowe's received the 2004 Gold Halo Award for best cause marketing event at the 2nd Annual Cause Marketing Forum. The award recognizes the Great Safety Adventure, an interactive exhibit that travels the country, providing children and their parents with valuable knowledge about how to stay safe in and around their homes.

Created by the Home Safety Council and sponsored by Lowe's, the Great Safety Adventure is a 1,200 square foot animated home that unfolds from two semi-tractor trailer trucks to create a replica of a living room, kitchen, bathroom, bedroom and backyard. Children and parents become "safety rangers" as they join a quest with tour guides and Rover, the Home Safety Council's Home Safety Hound, to search the house for common safety hazards. During 2003, the program's fifth year on the road, the Great Safety Adventure reached nearly 125,000 visitors during more than 300 events throughout the country.

"The Home Safety Council is thrilled and honored to be acknowledged with such a prestigious award," said Meri-K Appy, president of the Home Safety Council. "The Great Safety Adventure is one of our most exciting and effective educational programs. We recognize the tremendous need to educate children and families about potential hazards in the home and hope to continue our success in the future".

For more information, visit www.Lowes.com/community.

Lead Still Found in Children's Products

Kids In Danger report reveals need for more oversight and stricter requirements

Recently 550 times the level of lead considered toxic in paint has been found in crayons, sidewalk chalk, and vending machine jewelry meant for children's use. This danger prompted a study of the last fifteen years of children's product recalls involving lead hazards by Kids In Danger (KID).

"Lead has been identified as a hazardous substance for over 100 years and yet is used again and again in products for its most vulnerable victims," stated Nancy Cowles, executive director of the organization. "This counteracts the idea that no child's developmental potential should be jeopardized for playing with a toy." Lead is especially hazardous to children ages six and younger, causing neurological damage, attention disorders, and other adverse health effects. Despite the known hazards *and* the 1978 ban of lead paint, over 156 million units of children's products have been recalled due to the presence of lead since 1990.

Other findings of the report include

- Since 1990, 49 children's products have been recalled because of the presence of lead, even though it had been banned for that use for more than a decade prior to the study period.
- Twenty-nine products (59%) were recalled because of lead paint, and twenty products (41%) were recalled because of elemental lead.
- Of the 26 recalled products with known locations of manufacturing only one, the Little Tikes crib center, was manufactured in the United States. Over 50% were manufactured in China.

In 1998 the CPSC released a statement that toy manufacturers agreed to rid products of lead. Since this statement, 20 children's products - over 152 million units - have been recalled due to excess lead.

Illinois Attorney General Lisa Madigan had this to say, "Our goal must be to ensure that products intended for children are free of lead before they appear on the market.

Representative Jan Schakowsky had similar thoughts. In a forward to the report, she states, "In 21st century America toys laced with lead should never have been allowed to reach the hands of

children and enter the homes of unsuspecting parents

In addition to the Attorney General, KID was joined at the press conference by Action for Children (formerly Day Care Action Council of Illinois), the Childhood Lead Poisoning Prevention Program of the Chicago Department of Public Health, the Illinois Lead Safe Housing Task Force of Loyola University Chicago College of Law and the Coalition for Consumer Rights.

Here are some other recommendations cited from the report:

- The government should set a maximum allowable level of lead for children's products and require manufacturers to certify that each batch of paint they use is lead free *prior* to importing the product.
- Healthcare providers should consider children products as a possible source of lead poisoning and discuss the issue with parents.
- Mandatory pre-market testing is needed to keep poisonous children's products off the market. Despite the ban of lead paint and other hazards by the Federal Hazardous Substance Act (FHSA), products that contain lead continue to make their way into children's hands.

Consumers can review recalls and sign up to receive email notice of future recalls, including those involving lead, at www.cpsc.gov or sign up for monthly email alerts on children's product safety at www.KidsInDanger.org

STR Expands Quality Testing Laboratories in China

In early 2004, STR expanded two additional quality testing and inspection laboratories in the People's Republic of China which complement their existing Asia Pacific presence in Taiwan, Singapore, Korea and Japan.

STR's China facilities houses some of the most technologically advanced laboratories ever built for the testing of consumer products which include: toys and toy premiums; electronics and electrical equipment; garments and textiles; and general merchandise products.

For more information on STR and the company's global services, please contact Mr. Herb Hewitt at 860-749-8371(US) or at herbert.hewitt@strus.com.

News Of Interest

ISO's Plan for the Next Five Years

The network of national standards institutes constituting ISO, the world's largest developer of voluntary international standards, has agreed on the organization's path forward for the next five years.

The ISO 27th General Assembly, held on 14-16 September 2004 in Geneva, Switzerland, approved the ISO Strategic Plan 2005-2010 which sets seven key objectives for the organization and defines the ensuing actions and results expected. The key objectives are:

1. Developing a consistent and multi-sector collection of globally relevant International Standards.
2. Ensuring the involvement of stakeholders.
3. Raising the awareness and capacity of developing countries.
4. Being open to partnerships for the efficient development of International Standards.
5. Promoting the use of voluntary standards as an alternative or as a support to technical regulations.
6. Being the recognized provider of International Standards and guides relating to conformity assessment.
7. Providing efficient procedures and tools for the development of a coherent and complete range of deliverables.

Increasing the participation of ISO's developing country members - who make up 110 of its total membership of 146 - and strengthening their standardization infrastructures is the focus of the ISO Five-year Plan for Developing Countries, which was also adopted. Among measures to be implemented is establishing twinning arrangements for holding secretariats of Technical Committees that develop ISO standards, or for taking part in their work, by associating an ISO member institute from a developed country and another from a developing country. One of the first twinned secretariats, to be allocated shortly, will be for the working group that is to develop an ISO standard giving guidelines for social responsibility.

Another important feature was the recently adopted ISO Code of Ethics, which the General Assembly gave an opportunity to promote. The code concisely defines the ethical behaviour ISO expects of its governance, members and staff, and their responsibilities in delivering and promoting globally relevant and recognized standards.

Among other highlights of the General Assembly was a situation report by the ISO High-Level Security Advisory Group on the organization's current and potential involvement in standards for international security against threats such as criminal activity, terrorism and natural disaster.

Participation in the ISO 27th General Assembly was the highest ever, prompting the organization's Secretary-General Mr. Alan Bryden to comment: "With such a significant agenda, including decisions to be taken that will influence ISO's orientations and actions over the next five years, it was essential for our worldwide membership to be strongly represented. In the event, ISO's members heeded the call and we welcomed 368 delegates from 110 of our 146 member countries. In addition, there were representatives present from 22 international organizations and their status and numbers illustrated the high degree of institutional recognition that ISO is achieving."

Mr. Ordzhonikidze read a message to ISO from United Nations Secretary-General Mr. Kofi Annan who declared: "ISO makes a unique contribution in a range of vital areas - health, safety, security, the environment, transport and information technology. ISO standards are crucial to sustainable development, as they are a key source of technological know-how, especially for developing countries and economies in transition. They are invaluable in helping countries develop their economies and build capacities to compete on global markets. Producers and consumers everywhere benefit from your efforts."

The UN Secretary-General concluded: "The United Nations family looks forward to working ever more closely with the International Organization for Standardization for many years to come."

For more information contact Jim McCabe at jmccabe@ansi.org.

Court Dismisses Lawsuit Against CPSC

A federal judge in Philadelphia recently dismissed a lawsuit filed against the U.S. Consumer Product Safety Commission by the family of a teenager who was shot with an airgun. Senior Judge Robert F. Kelly ruled that Jerome and Rebecca Mahoney lacked standing to challenge a November 2003 settlement with the Daisy Manufacturing Co. regarding the company's Powerline BB guns. The Judge held that the CPSC's action in settling the administrative lawsuit was unreviewable under the Administrative Procedure Act.

Judge Kelly's ruling stated: "*The Mahoneys have failed to aver facts in this case demonstrating a concrete and actual injury....As the regulations provide, the Mahoneys are not entitled to the repair, replacement or refund of the purchase price of their BB guns because the Commission may accept a settlement that does not call for such a remedy.*"

The Judge added, "*In the absence of 'law to apply' to this case, the Court must conclude that 'agency action is committed to agency discretion by law'...The decision of the Commission to settle its administrative action against Daisy is, therefore, unreviewable under the Administrative Procedure Act.*"

To learn more about the consent agreement between CPSC and the Daisy Manufacturing Co. log on to www.cpsc.gov.

Neighborhood Safety Network Database Signup Form

CPSC has determined that certain groups of Americans, such as the elderly, urban and rural low-income families, and some minority groups, often do not hear about our safety messages.

Therefore, in order to carry out their mission more effectively, CPSC has embarked on a special project to put our lifesaving information in the hands of these populations by creating the Neighborhood Safety Network. Organization's may contact CPSC and enter information into the NSN database. In this way they are becoming partner's in the Commissions campaign to share lifesaving safety information with consumers who may not be aware of the many hazards that exist in and around the home.

CPSC will use the contact information you provide to send out posters, publications and announcements that are specially tailored to meet the needs of specific groups – such as child safety tips for new parents and fire safety advice for older Americans living on their own.

EU Votes to Ban Phthalates from Toys and Child Products

The EU Competitiveness Council September 24 voted to permanently ban three types of phthalates (DEHP, DBP and BBP) from all toys and childcare products and three others (DINP, DIDP and DNOP) from toys intended for children under 3 and which could be placed in their mouths. The move stems from a 1999 proposal to amend Directive 76/769/EEC. Unresolved debate on that had led to a temporary ban under the General Product Safety Directive. The next steps are formal adoption by the EU Council and then consideration by the European Parliament.

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NEISS Expands Online

CPSC's unique National Electronic Injury Surveillance System (NEISS) has recently expanded its online capabilities. Now, anyone who wants to access and use this data can obtain even more detailed information about injury incidents.

Last year, for the first time, users were able to access NEISS data directly from their own computers. For example, a user could ask for an estimate of the number of males between the ages of 50 and 70 who were treated in the U.S. hospital emergency rooms between February 2002 and October 2002 for injuries associated with using a ladder at home. The response would include the actual number of cases and injuries in the NEISS sample and an estimate for the entire nation.

This year, users also will be able to preview and download individual case data for their request. The data will include the usual NEISS variables (such as age, gender, diagnosis, body part, etc.) and a narrative description of the incident.

The narratives are the key components of the new system. CPSC has purged information that identifies hospitals, individuals, locations, and manufacturers, but has kept the basic information about how the incidents occurred. User now will be able to download this information classify the cases, and produce far more useful analyses of the types of injuries within the various product areas.

The data will be available in a tab-delimited text file suitable for analysis in Excel or SAS. A sample SAS program and a convenient set of format statements are available on the site.

The new feature is available only for queries with a "from" treatment date of January 1, 2002 or later. About 700,000 records are available from NEISS for 2002 and 2003. To use the system, go to: <http://www.cpsc.gov/library/neiss.html>.

CDC Offers Research Bibliography

A free CD from the Centers for Disease Control and Prevention (CDC) lists more than 900 citations related to behavioral science research on unintentional injury prevention from 1980-2003. The list of journal articles, book chapters, government reports, and other publications is designed as a tool for researchers, practitioners and students.

The complete bibliography is presented in two formats: (1) alphabetical by author; and (2) by injury topic, including bicycle injuries, child occupant protection, consumer product safety, drowning, falls, fire and burns, impaired driving, motor vehicle injuries, motorcycle safety, occupational injuries, pedestrian injuries, playground injuries, poisoning, seat belts, sports injuries, and sun-related injuries. Citations are also indexed by keyword.

To order, send an e-mail to ohcinfo@cdc.gov with your name, title, organization, email address, mailing address, telephone number, and fax number. A pdf version can be accessed (and downloaded) from <http://www.cdc.gov/ncipc/publications/behavioral/default.htm>.

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Americans Underestimate Their Risk of Fire

3,925 died in fires in 2003--many more than in all natural disasters combined

Americans underestimate their risk of fire, a new survey from the National Fire Protection Association (NFPA) has found. Choosing from a list of disasters, 31 percent of those surveyed said they felt most at risk for tornado, while only 27 percent named fire as the highest risk, followed by hurricane (14 percent), earthquake (9 percent), flood (9 percent) and terrorist attack (5 percent).

But among all those disasters, fires are actually more common — and many times more deadly. Fire departments responded to 1.6 million fires in the United States in 2003. While tornadoes average 70 deaths a year, fires killed 3,925 people in 2003, most of them in the home.

Fires also cause significant property damage, especially when compared with other disasters. In recent years, property damage from tornadoes averaged just over \$1 billion and from hurricanes just under \$3 billion. But the cost of fire damage? More than \$12 billion in 2003, up 19 percent from the previous year, due primarily to the \$2 billion in losses in the southern California wildfires.

Asked which kind of disaster they feel most prepared for, the highest percentage of respondents (31 percent) said they felt most prepared for fire. Their answers to other survey questions suggest they are prepared — but not prepared enough. Ninety-six percent have smoke alarms, a new high for the nation. But only one-fourth have developed and rehearsed a plan for escaping their home in a fire, a goal of public education efforts such as FPW.

According to NFPA, fire occurs in a structure an average of once every 61 seconds. A civilian is injured in a fire every 29 minutes, and dies in one every 134 minutes. And four out of five fatal fires occur in the place where people feel most safe: the home.

Deaths from fire overall have been declining steadily over the past two decades. In 2002, fire deaths dropped sharply. In 2003, the death rate returned to previous levels, jumping 16 percent overall and 18 percent for deaths from fires in the home.

For more information visit NFPA's website at www.nfpa.org.

The Department of Engineering Professional Development each year provides 400 continuing education courses for many types of engineers and other professionals enabling them to

stay current and expand their technical skills and knowledge.

Coming Events

RAM Product Safety Training

The Product Safety Training Course is appropriate for anyone involved in the production of products consumed by the general public. The content introduces key safety principles, and outlines the components necessary for companies and professionals to implement a process that will produce the safest products possible.

This course features interactive lectures and activities addressing topics such as injury data analysis, foreseeable use, and human factors.

Next course offered: January 18-19, 2005 in Hong Kong.

APHA

November 6-10, 2004

American Public Health Association Annual Meeting, Washington, DC

More info: www.apha.org

ICPHSO In London

ICPHSO's first European Meeting and Training Symposium is being held in London on November 11, 2004. The program is excellent and the seating capacity is limited.

Please visit our website at www.icphso.org for meeting details.