



January 3, 2009

Office of the Secretary
Consumer Product Safety Commission
Room 502
4330 East-West Highway,
Bethesda, Maryland, 20814
Sec102ComponentPartsTesting@cpsc.gov
fax: (301) 504-0127

Re: Consumer Product Safety Improvement Act: Proposed Determinations Regarding Lead Content in Certain Materials -- Certain Materials that do not Exceed the Limits for Lead Content

Dear Mr. Stevenson:

On behalf of the Handmade Toy Alliance, [an alliance now numbering 144 toy stores, toymakers and children's product manufacturers](#) from across the country who want to preserve unique handmade toys, clothes, and children's goods in the USA, we respectfully submit the following comments regarding the proposed determinations exempting certain materials from lead content testing, dated December 23, 2008.

We agree with the proposed determinations that certain natural materials should be exempted from lead testing because they are known by science to not contain significant levels of lead. Specifically identified in the proposal are certain gemstones, pearls, wood, cotton, silk, wool, hemp, flax, linen, coral, amber, fur, and untreated leather. We also agree that these materials are unlikely to become contaminated by lead during the manufacturing process.

However, we are concerned that this proposed list is incomplete and provides no process for adding additional materials which are known to science to not contain lead. We therefore are suggesting the exemption of other natural materials commonly used to make children's products and toys. The following list is by no means exclusive and we encourage the CPSC to develop a simple and cost-effective mechanism by which manufacturers can apply for the exemption of other natural materials.

Part 1: Natural Materials Regulated as Foodstuffs by the FDA:

The following materials should also be exempted from testing because they are also foods regulated by the FDA. These materials include vegetable and nut oils, grain flours, medicinal-grade mineral oil, table salt, flax seed, FDA-approved food coloring, cream of tartar, dried beans, dried corn, essential plant oils, herbs, witch hazel, millet, and FDA-approved food preservatives. All of the above items are used to manufacture children's items, especially dolls and children's modeling dough.

Part 2: Materials Which are Regulated as Art Materials and Meet ASTM D-4236 Standards

Because art materials are already regulated by the CPSC, those which have already been tested to meet ASTM D-4236 standards should not require additional testing when used in the fabrication of toys and children's products.

Part 3: Natural Materials which are not otherwise regulated but are known to not contain lead:

The proposed determination specifically identifies wood, wool, silk, hemp, linen, and cotton. We would like to add the following to this list of exempted materials: paper, cardboard, bark, rattan, beeswax, natural rubber latex, lavender, 100% pure tung oil (in its cured form), milk paint (in its cured form), flower petals, dried plants, shellac (in its cured form), bamboo, bamboo fiber, plant-based dyes, nut shells, hide glue, Candelilla wax, Carnauba wax, loofa, jute, kapok, moss, straw, and jojoba oil. All of these materials are derived directly from natural sources and are known by science to not contain lead.

Part 4: Natural Materials which have been modified by the addition of other lead-free materials or lead-free chemicals

The proposal should clarify that the lead limit finding for natural textiles remains intact even if the natural textiles are processed through the addition of chemicals, including pigments, dyes, bleaches, or other substances provided those chemicals either do not contain lead or do not introduce lead to the product above the CPSIA limits. For example, dyed fabric should also be exempted as long as no lead has been added. The scientific information indicates that none of the chemicals used in producing textiles contain lead or lead at levels that would cause the material to exceed the CPSIA lowest limit.

Part 5: Reclaimed Textiles:

Several of our members remanufacture new products from reclaimed clothing such as T-shirts and sweaters. Because this activity makes use of materials that would have met existing standards at the time of their original manufacture and because these remanufactured items are by definition one of a kind, testing of these reclaimed textiles should not be required.

We wish to emphasize that our lists of materials and categories are by no means exclusive and that the CPSC should establish a process by which additional materials may be excluded.

As a group, we fully support all government efforts to safeguard consumers and reduce children's exposure to lead. We also acknowledge that our members have been setting and adhering to high safety standards in children's products for many years.

We do not believe that exemption of the above materials from lead testing will in any way endanger the public health. We do believe, however, that these exemptions will have a strong positive impact on manufacturers and substantially reduce the cost of compliance with the CPSIA, thereby protecting businesses and their employees.

Respectfully Submitted,

The Handmade Toy Alliance

A complete list of our member businesses follows:

A Child's Garden	Toy Retailer	Massachusetts
AHA(T)2 - All Harwood		
All the Time	Toymaker	Nebraska
All the Numbers		
Handmade	Children's Product Manufacturer	Massachusetts
American Toy LLC	Toymaker	Oregon
Baby Bean Vintage		
Daywear	Children's Product Manufacturer	Texas
Baby Leo Designs	Children's Product Manufacturer	California
Basket of Gifts	Toymaker	Maryland
Bazbies by Gigi	Toymaker	Utah
BEKA	http://bekainc.com	Toymaker
Birdsong Bows	Children's Product Manufacturer	
Blessed Baby Boutique	Toy Retailer	Maine
Blossom Toys	Toymaker	Massachusetts
Bright Penguin	Toy Retailer	Texas
Bruce Wolk	Journalist	
Busy Little Elf	Toymaker	Ohio
Camden Rose Toys	Toymaker	Michigan
Carseat Couture	Children's Product Manufacturer	Kansas
Cars From Papa	Toymaker	California
Chalais Associates	Toymaker's Rep	California
Challenge and Fun	Toy Importer	Massachusetts
Chasing Birdies	Toymaker	Texas
Chocolate Soup	Toy Retailer	New Jersey
Chubby Cheek Boutique	Children's Product Manufacturer	Wisconsin
Clementine NW	Toy Retailer	Oregon
Cool Mom Picks	Journalist / Blogger	
Craftsbury Kids	Toy Retailer	Vermont
Crafty Baby	Children's Product Manufacturer	Connecticut
Cubic Dissection	Toymaker	North Carolina
Cuckooboo	Toymaker	North Carolina

D and Me Toys	Toymaker	Montana
Dirty Peaches Clothing Co.	Children's Product Manufacturer	Florida
Down To Earth Trading Co.	Toy Retailer	Michigan
Dragon's Toy Box	Toy Retailer	Washington
Early Work Station	Toy Retailer	California
Earnest Efforts Toys	Toymaker	Oregon
Earthetarian	Toymaker	Connecticut
Easy to Love Toys	Toymaker	Pennsylvania
Ecoleeko	Toymaker	New York
Elevenish	Children's Product Manufacturer	California
Ellie Bellie Kids	Toymaker	
Erica Daley	Toymaker	Maryland
Fairy Finery	Toymaker	Minnesota
Firewood Toys	Toymaker	New Hampshire
For My Kids	Children's Product Manufacturer	Texas
Frill 'er Up Couture	Children's Product Manufacturer	Michigan
Fuzbaby	Toymaker	Utah
Girl Party Tutus	Children's Product Manufacturer	Michigan
Glückskäfer Kinderwelt	Toymaker	Germany
Greco Woodcrafting	Toymaker	New Jersey
Greenjeans	Toy Retailer	New York
Green Little Beans	Toymaker	Florida
Grimm's GmbH	http://www.grimms.eu	Toymaker
Happy Squash Toys	Toymaker	Ohio
Hasenpfeffer	Toymaker	Washington
hatched	Toy Retailer	Massachusetts
Hilltown Families	Journalist / Blogger	Massachusetts
Honeysuckle Dreams	Toymaker	Maryland
Hopscotch Childrens Store	Toy Retailer	Michigan
Hullabaloo Boutique	Children's Product Manufacturer	Pennsylvania
Imagination Box Company	Toymaker	Idaho
impish	Toy Retailer	Massachusetts
INQUISITIVEkid	Toy Retailer	Canada
inspired mama creations	Toymaker	Idaho
KangarooBoo	Toy Retailer	Iowa
Kidcessory Haven	Children's Product Manufacturer	Florida
Kooky Dolls / LolaBEE	Toymaker	Wyoming
Lily Bean	Toymaker	Michigan
Lindenwood Toys (Uncle Goose)	Toymaker	Michigan
Little Alouette	Toymaker	Ohio
Little Ants	Toy Retailer	Indiana
Little Sapling Toys	Toymaker	California
Living Playing	Toy Retailer	Massachusetts
Lundeby's Eco Baby	Toy Retailer	Oklahoma
Made by Ewe	Toymaker	New Jersey

Mamanista	Journalist / Blogger	
Mama Roots	Toymaker	Missouri
Mama's Little Monkeys	Toymaker	California
Mini Monster Baby		
Boutique	Toymaker	Virginia
Miscellaneous Oddiments	Toymaker	Maryland
More4Kids	Toy Retailer	Tennessee
Nato Bello	Children's Product Manufacturer	Michigan
Natural Pod	Toymaker	Canada
Nest Maternity and Baby	Toy Retailer	New Hampshire
New Hampshire Toy		
Factory	Toymaker	New Hampshire
Noble Dolls	Toymaker	Pennsylvania
North Star Toys	Toymaker	New Mexico
Nova Natural Toys	Toy Retailer	Vermont
Old School Acres	Toymaker	
Oliebollen	Toy Retailer	Michigan
Ozarkana	Toymaker	Missouri
Papa Don's Toys	Toymaker	Oregon
Pea Pie Baby	Toy Retailer	Florida
Peapods Natural Toys	Toy Retailer	Minnesota
Phil Barbato	Toymaker	Virginia
Piggy Roo Toys & Gifts	Toy Retailer	Colorado
Play Store Toys	Toy Retailer	California
Purcell Toys	Toymaker	Georgia
Quiet Hours Toys	Toy Retailer	Pennsylvania
Rebekah's Bowtique	Children's Product Manufacturer	North Carolina
Rosie Hippo	Toy Retailer	New York
Sakura Bloom	Children's Product Manufacturer	Massachusetts
Sarah's Silks	Toymaker	California
Sara's Toy Box	Journalist / Blogger	
Seaons Natural Toys	Toy Retailer	Florida
Shoparooni	Toy Retailer	Ohio
Silken Sky	Toymaker	Massachusetts
Silly Kitty	Toymaker	Wisconsin
Small Magazine	Journalist / Blogger	Texas
Sole Mate Toys	Toymaker	Louisiana
Specialty Toys Network	Toy Industry Group	Nationwide
stacyJean	Toymaker	California
Star Bright Baby	Toymaker	Pennsylvania
Starlight Arts	Toymaker	Montana
Sullivan Toy Company	Toymaker	Oklahoma
Sweet Pea's Loft	Toy Retailer	Minnesota
TAG Toys	Toymaker	California
Tedde	Toymaker	New York
The Baby Gardener	Children's Product Manufacturer	Alabama
The Little Seedling / Tree		
City Diapers	Toy Retailer	Michigan
The Lucky Pebble	Toymaker	Hawaii
The Mommy Spot	Journalist / Blogger	

The Pajama Squid	Toy Retailer	Maryland
These Are the Salad Years	Journalist / Blogger	
The Snuggle Herd	Toymaker	Texas
The Urban Thimble	Toymaker	Illinois
The Wee Loft	Toy Retailer	California
The Wooden Wagon	Toy Retailer	Massachusetts
Three Sisters Toys	Toy Retailer	Florida
Treehouse in the Glen	Toy Retailer	California
Tummba	Children's Product Manufacturer	Colorado
Turlte Park Tots	Children's Product Manufacturer	Colorado
Ugga Mugga	Journalist / Blogger	Wisconsin
Victoria Velting	Children's Product Manufacturer	Michigan
Wabi Sabi Wonders	Toymaker	Illinois
Walking Stick Toys	Toy Retailer	Montana
Wondermommy	Toymaker	Alabama
Wood Toy Shop	Toymaker	Oregon
Woolies	Toymaker	Arizona
World of Mirth	Toy Retailer	Virginia
World's Greatest Bath		
BoatsChildren's Product		
Manufacturer	Toymaker	Minnesota
XoXoa Baby	Children's Product Manufacturer	
Yo-Yo Joe's Toys and Fun	Toy Retailer	Deleware
Zadyball	Toymaker	Arizona
Zid Zid Kids	Toymaker	Massachusetts / Morrocco