



A Call for Toxic-Free Children's Products

Ulster County
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A report by

**CLEAN &
HEALTHY
NEW YORK**



Acknowledgements

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Executive Summary

Children's products containing toxic chemicals are for sale in Ulster County. These chemicals are dangerous, unnecessary, and pose health risks to children. They can cause cancer, trigger asthma, lower IQ, and damage vital organs.

This report, produced by Clean and Healthy New York, documents our project to purchase products in Ulster County intended to be used by children on a daily basis and test them for the presence of some of the most hazardous chemicals. What we found should be troubling to all, especially parents and those who make policy in Ulster County.

In 2015, manufacturers of children's products reported 9,603 uses of toxic chemicals to the Washington State Department of the Ecology. The Maine Department of Environmental Protection received reports from multiple manufacturers of children's products about the use of BPA, arsenic, cadmium and mercury in products marketed to or intended for use by children.

Ulster County and New York State have no laws that require manufacturers to disclose the use of or ban many toxic chemicals in children's products. This report's findings clearly highlight the fact that some of the most dangerous chemicals are indeed in children's products on the store shelves in Ulster County. Parents and others need to know what is in the products they could be buying for kids.

We visited Toys'R'Us, Dollar Tree, and Target in December 2015 and tested a variety of toys, accessories, novelty products and apparel. Products were tested using an X-Ray Fluorescence Analyzer (XRF).

Not all products tested contained chemicals of concern; this report documents the ones that did. We found:

- **Antimony** in three products: a backpack, lanyard, and costume;
- **Cadmium** in nine products: a toy, two backpacks, lanyard, keychain, hair accessories, and two DIY jewelry sets;
- **Cobalt** in four products: a xylophone, two hair accessory sets, and a DIY Jewelry set;
- **Lead** in two products, both DIY jewelry sets.

This survey report, while not exhaustive, demonstrates that there are toxic heavy metals in a variety of children's products sold at stores across price points. We know that there are thousands of such products because of self-reporting data from children's products makers; this report shows that they are present on store shelves in Ulster County.

There is a wealth of growing scientific evidence linking chemicals in commonly-used children's products to diseases and disorders of environmental origin. The incidence of these health impacts is on the rise. Children are uniquely vulnerable because they eat, drink and breathe more — pound for pound — than adults, put their hands and objects in their mouths more often, and are undergoing developmental stages that are sensitive to disruption from toxic chemicals.

New York legislators should protect children from toxic chemicals by banning their use in toys and children's products. Children's products makers should not allow toxic chemicals in their products, and retailers should refrain from selling those containing toxic chemicals.

"The true burden of environmentally induced cancer has been grossly underestimated. With over 80,000 chemicals on the market in the United States, many of which are in products used by millions of Americans in their daily lives and are unstudied and largely unregulated, exposures to potential environmental carcinogens is widespread."

— President's Cancer Panel 2008-2009¹

Introduction

Non-toxic products occupy store shelves right next to those that contain toxic chemicals. There is no way a parent or anyone shopping can tell by looking at them, reading the label or visiting the company website which ones are safe and which ones contain hidden hazards. Even the most knowledgeable parents can't protect their families.

Children and babies are exposed all day, every day to toxic chemicals in products made for their use. Their rapidly developing brains and growing bodies are more susceptible to the health impacts of these hidden hazards. Parents can't get the information they need to shop their way out of this problem.

Diseases of environmental origin are preventable, and eliminating exposure to environmental hazards is the best defense against them. Efforts to reduce toxic exposure have been successful in the past. The removal of lead from gasoline resulted in a 90% reduction in blood lead levels in American children; reduced alcohol use during pregnancy greatly decreased the number of babies born with fetal alcohol syndrome.

Although cancer is caused by a complex interaction of genetic predisposition and exposure to environmental factors, reducing exposure to known carcinogens will result in a reduction in the incidences of cancer. Further, the reduction of the use of neurotoxins will reduce the incidence of lowered IQ and learning disabilities. It's also logical that reducing the use of reproductive toxicants will reduce the incidence of infertility.

Current regulations are inadequate to protect our children, our families, our communities and the environment. The Toxic Substances Control Act of 1976, the Consumer Products Safety Act of 1972, and the Consumer Product Safety Improvement Act of 2008 have allowed for very limited regulation of chemicals. But as the data in this report shows, current

protections do not keep toxic chemicals out of children's products. Stronger laws are needed to adequately protect our children.

Some states have taken action. The Children's Product Safety Act of 2008 in Washington State requires children's product makers selling products in the state to disclose the use of dangerous chemicals. This disclosure has shed light on the fact that dangerous chemicals are in thousands of products intended for everyday use by children and babies. Maine passed a similar law in 2008, which was amended in 2011, and they are now also collecting data on use of chemicals in products. Vermont and Oregon followed suit in 2014 and 2015, respectively.

The results of testing in Ulster County show that the problem is not just local to Washington State, but widespread. Children's products containing lead, cadmium, and other highly dangerous chemicals were easily found on store shelves in each of the Ulster County stores surveyed.

If we fail to address this silent public health and environmental epidemic, exposure to toxic children's products today can cause lifelong harm to many children in our community. Members of the Ulster County Legislature should act now to ban the most dangerous toxic threats so parents will know that the toys they buy are safe. Children and babies in Ulster County can't wait any longer.



The Science: Toxic Chemicals Cause Health Problems

Toxic chemicals in household products contribute to the rise in diseases. They are linked to cancer, learning disorders, genetic anomalies, hyperactivity, developmental delays, asthma, obesity and infertility.

28% of developmental disorders are due to direct toxic environmental exposure, or combinations of exposures with genetic susceptibility.²

Childhood cancer rates have been trending upward in the last four decades. Childhood leukemia increased by 40% and brain cancer increased by 39% since 1973.³ This increase in cancer incidence occurred during a period marked by the rising use of a wide range of industrial chemicals. In 2012, childhood cancer was the second leading cause of death (after accidents) among New York's children from age 5 to age 15.⁴ Childhood cancer survivors go on to have chronic health issues including second cancers, heart damage, osteoporosis and thyroid problems.

Toxins in household products disproportionately impact children and babies. Babies' and children's growth needs cause them to consume more than double the food and water and breathe more air proportionally than adults. Infants typically double in weight by five months of age and

triple by one year. This rapid growth makes developing organs, especially the brain, highly vulnerable to toxic exposures. Hand-to-mouth behavior of young children also puts them at increased risk. They spend time on the ground, causing them to breathe in dust and particles that contain toxic chemicals. They also put everything in their mouths, greatly increasing the likelihood that they will ingest dangerous chemicals as they come out of products. Children's immature metabolism makes them less able to break down and excrete toxic chemicals.⁵

The chemicals highlighted here pose health hazards :

Antimony: Abdominal cramps, diarrhea, cardiac toxicity, and liver damage. In pregnant women, high levels can cause premature births and spontaneous abortions.

Cadmium: Mimics estrogen, linked to breast and uterine cancer, early puberty, kidney and lung damage, loss of motor skills, and behavior dysfunction.

Cobalt: May cause cancer, memory deficits, behavioral problems, and other cognitive impairment.

Lead: hormone disruptor, reduces IQ, causes cardiovascular harm, decreases inhibitions and judgement.

The Problem: Toxics in Children's Products

Toxic chemicals are added to products that are found in virtually every home and on store shelves throughout this country. Products that children use every day contain toxic chemicals. Each and every day, children and babies are at risk of developing chronic and debilitating illnesses due to unnecessary, preventable exposure to toxic chemicals.

In 2008, the State of Washington passed the Children's Safe Products Act which requires makers of children's products sold in Washington to report to the state if these products contain any of a list of 66 Chemicals of High Concern to Children. This landmark legislation has opened a window, documenting the presence of previously hidden

hazards in children's products including clothes, car seats, bedding, tableware and toys. Washington State's children's product database shows 9,603 uses of toxic chemicals in children's products as reported in 2015 alone.⁶

In late 2015, Washington State released children's products testing it conducted in 2014 and 2015. They found antimony in 72% of products, lead in 48%, cobalt in 38%, arsenic in 34%, cadmium in 14%, and mercury in 8%.⁷

What does that mean for New York's children? Survey reports in New York counties from Erie to Suffolk identified toxic chemicals in a wide array of children's items.

Results: Ulster Stores Sell Toxic Children's Products

Clean and Healthy New York tested products purchased at stores across Ulster County, including Dollar Tree, Target, and Toys"R"Us. Products were tested using an X-Ray Fluorescence Analyzer (XRF), which can detect elements like lead, mercury, chlorine and bromine. We identify twelve products with harmful chemicals as follows:

- **Antimony** in three products: a backpack, lanyard, and costume;
- **Cadmium** in nine products: a toy, backpacks, lanyard, keychain, hair accessories, and DIY jewelry sets;
- **Cobalt** in four products: a xylophone, two hair accessory sets, and a DIY Jewelry set;
- **Lead** in two products, both DIY jewelry sets.

Tomy® Chuggington StackTrack Stormmaker Wilson, Koko & Brewster



Cadmium

Monster High Backpack

Antimony,
Cadmium



Despicable Me Minion Made Xylophone



Cobalt

Greenbrier Lanyard



Antimony, Cadmium



Cinderella key chain

Cadmium

Wonder Woman costume

Antimony



Frozen hair accessories

Cadmium, Cobalt



Totally Me Charming bracelet kit

Cadmium,
Cobalt, Lead



Fast Cars 16 Piece set

Cadmium



Charmazing Glitz'n Glam charm kit

cadmium,
Lead



Disney Minnie Accessories

Cobalt

Marvel Ultimate Spiderman mini-backpack

Cadmium



Summary & Recommendations

Our testing shows that these products are not just sold far away — they are in stores right here in Ulster County.

A handful of major retailers have told their suppliers that they will no longer accept products that contain some chemicals of concern to human health and the environment. But it is clear from the results of our survey that voluntary efforts alone are not enough to get toxic chemicals out of children's products.

A comprehensive federal law to reform the nation's chemical policy has been stalled for a decade. Even if this law were enacted, it could be another decade before it regulates a single chemical. In this absence of Federal action, 33 states considered or enacted policies in 2014 to address toxic chemicals in consumer products.

In New York State, a law to ban the most highly toxic chemicals and require disclosure of a more comprehensive list of others has passed in the Assembly several times but stalled in the State Senate. In 2015, 42 state senators co-sponsored the Child Safe Products Act — many more than it needed to pass — but Senate leadership blocked its passage in the final days of the session. Counties have already taken the lead, passing laws to ban toxic chemicals in Albany, Rockland, Suffolk, and Westchester counties.

We make the following recommendations:

Ulster County should protect children from toxic chemicals by banning their use in children's products.

The Ulster County Legislature has legislation pending that would tackle the chemicals included in this report, protecting millions of children from the dangers posed by heavy metals. Ulster County should join the four counties that have already acted in leading efforts to remove toxics from children's products.

New York State should protect children from toxic chemicals by banning their use in children's products.

The New York State legislature should address the issue of toxic toys in children's products in the upcoming legislative session. During the past several years, a comprehensive children's products policy has gotten more traction than ever before and is ready for passage in 2016.

Toy and children's product manufacturers should stop using toxic chemicals in their products.

Many of the toys and products we tested did not contain toxic chemicals harmful to children. Since children's products can be made without them, we call upon manufacturers to stop using them. This requires manufacturers to take better control of their supply chain to ensure that the products they offer for sale do not contain potentially harmful substances.

Retailers should refuse to sell children's products containing toxic chemicals.

Retailers should ensure that products on their shelves are free of toxic chemicals. Major retailers and those that specialize in baby products should lead the way by making sure their products do not contain them. Retailers can learn how through the Getting Ready for Baby Campaign, (www.gettingready4baby.org), which works with retailers to urge their suppliers to stop using hazardous chemicals in infants and toddler's products. Retailers should advocate for state and federal policies that place responsibility for toxic-free products on manufacturers and importers.

Appendix 1: Detailed Results

All quantities are reported in parts per million (ppm).

#	Product	Part	Store	Antimony	Cadmium	Cobalt	Lead
1	Tomy® Chuggington StackTrack Stormmaker Wilson, Koko &	Red car metal underside	Toys'R'Us		200-300		
		Blue car metal underside			300-400		
2	Monster High backpack	Zipper pull	Toys'R'Us	400-500	200-300		
3	Despicable Me Minion Made Xylophone	Metal key	Toys'R'Us			21,900-22,000	
4	Greenbrier Lanyard	Metal ring	Dollar Tree	4,800-4,900	3,300-3,400		
5	Greenbrier Cinderella key chain	Chain	Dollar Tree		1,600-1,700		
6	Wonder woman costume	Yellow belt	Target	150-200			
7	Frozen hair accessories	Anna pink hair clip (back)	Toys'R'Us		300-400	4,100-4,200	
8	Totally Me Charming Bracelet set	Blue dog charm	Toys'R'Us		300-400		
		Pink umbrella charm			200-300		
		Heart and rhinestone charm			200-300		400-500
		Purple chain				4,400-4,500	4,400-4,500
9	Fast Cars 16 piece car set	Top of red car	Toys'R'Us		100-150		
10	Charmazi Glitz'N Glam! Charms	high heel charm	Toys'R'Us		100-150		4,300-4,400
11	Disney Minnie Accessory Set	Necklace chain	Toys'R'Us			2,700-2,800	
12	Marvel Ultimate Spiderman mini backpack	Upper zipper pull	Toys'R'Us		600-700		
Total Items with the chemical				3	9	4	3

Appendix 2: Methodology

During the winter of 2015, the authors of this report visited a number of stores in Ulster County and purchased over a dozen children's products. Clean and Healthy New York staff then screened the children's products thoroughly in their office, using an X-Ray Fluorescence Analyzer (XRF).

Sampling was not random: We used Washington State's data, and our own extensive experience in testing toys in New York State to select products in Ulster County for testing. This report is not a systematic survey of any brand, type, or store. We report a selection of products in which we identified chemicals at or above the following levels, which were codified by the Toxic Free Toys Act passed in Suffolk County in 2015.

- Cadmium: 75 parts per million (ppm);
- Arsenic, antimony, cobalt and mercury: 40 ppm;
- Lead: 90 ppm in surface coating, 100 ppm base material.

These levels are based on protective standards set in the U.S. and globally.

About the XRF Analyzer

The X-Ray Fluorescence Analyzer (XRF) was made by Innov-X, now owned by Olympus. XRFs are used by government agencies and product manufacturers to screen consumer products for toxic chemicals. XRFs can detect elements such as lead, cadmium, chlorine, arsenic, mercury, cobalt, and antimony, as low as the level of parts per million.



Endnotes

1. Reuben, SH, (2010) "2008-09 Annual Report Reducing Environmental Cancer Risk: What We Can Do, Now." The President's Cancer Panel. deainfo.nci.nih.gov/advisory/pcp/annualReports/pcp08-09rpt/PCP_Report_08-09_508.pdf
2. Landrigan, et al (2013) *New York State's Children and the Environment, A Report from the Children's Environmental Health Center*, Icahn School of Medicine at Mount Sinai. www.mountsinai.org/static_files/MSMC/Files/Patient%20Care/Children/Childrens%20Environmental%20Health%20Center/NYS-Children-Environment.pdf
3. See above.
4. See above.
5. See above.
6. State of Washington, Department of Ecology, (2015) Children's Safe Product Act Database. <http://www.ecy.wa.gov/toxics/testing.html>

7. Washington State Department of Ecology (2015) "Chemicals of High Concern to Children in Children's Clothing, Footwear, and Accessories." <https://fortress.wa.gov/ecy/publications/documents/1503039.pdf>

Resources for chemicals of concern:

Antimony: <http://www.atsdr.cdc.gov/PHS/PHS.asp?id=330&tid=58>

Cadmium: <http://www.atsdr.cdc.gov/csem/csem.asp?csem=6&po=12>

Cobalt: <http://www.atsdr.cdc.gov/substances/toxsubstance.asp?toxid=64>

Lead: <https://www.niehs.nih.gov/health/topics/agents/lead/index.cfm>

All websites accessed 2/25/2016.

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**CLEAN &
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NEW YORK**

CHNY advances policy and market changes to promote safer chemicals, a sustainable economy, and a healthier world.

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Moms for a Non-Toxic New York is a chapter-based grassroots organization of moms and others working to protect children from toxic chemicals.