



TOXIC TOYS IN ALBANY COUNTY



A
report
by



Clean & Healthy
New York



NEW YORK LEAGUE OF
CONSERVATION VOTERS
EDUCATION FUND

Executive Summary

Children's products containing toxic chemicals are for sale in Albany County, New York. These chemicals are dangerous, unnecessary and pose health risks to children like cancer, lower IQ scores and organ damage.

This survey report looked for the presence of some of the most hazardous chemicals in products intended to be used by children on a daily basis, and found plenty to be concerned about. While recent government reports have shown that there were 4,605 children's products and toys that contained one of 49 hazardous chemicals, this report is the first to survey a targeted list of the most dangerous ones on the store shelves of Albany County.

We visited Walmart, Target, Party City, Ocean State Job Lot, and Ollie's Bargain Outlet stores in Albany County in October and November 2014, and tested a variety of toys, accessories, novelty products and apparel. The items presented here contain one or more chemicals of concern that would be addressed by the proposed Local Law "J" – the Toxic-Free Toys Act – currently before the Albany County Legislature. Products were tested using a handheld device known as an "XRF Analyzer" (X-Ray Fluorescence).

Not all products tested contained chemicals of concern; this report documents the ones that did. We are not reporting products that did not contain our target heavy metals. We found:

- Antimony in three products: metal charms in a jewelry kit, beads in another jewelry kit, and a doll.
- Arsenic in three products: in beads in a jewelry set, and in two hair clips.
- Cadmium in two products: in metal charms in a jewelry kit, and rhinestones in another jewelry kit.
- Cobalt in six products: a hair clip, in beads in a jewelry set, in beads in a bracelet, in decorations on a hair clip, the back of a hair clip, and in a keychain.
- Lead in five products: in beads and a charm in a jewelry kit, on the front of two hair clips, the back of a hair clip, and a luggage tag.
- Mercury in three products: beads in two jewelry kits, and a wooden necklace.

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 environmental chemicals.

Albany County legislators should protect children from toxic chemicals by banning the sale of toys and children's products that contain them. Shopkeepers should also refrain from selling children's products containing toxic chemicals.

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Special thanks to:

Bobbi Chase Wilding, Deputy Director, CHNY

Christopher Goeken, Director of Public Policy and Government Relations,
NYLCVEF

Kathleen Curtis, Executive Director, CHNY

Ruth Foster, Just Green Coordinator, CHNY

Dan Hendrick, Vice President, NYLCVEF

Susan Torres, Membership Manager, NYLCVEF

Research: Bobbi Chase Wilding

All products in this report were bought from stores in Albany County, New York, in October and November 2014. We tested only a small fraction of the children's products for sale in Albany County. In no way is *Toxic Toys in Albany County* intended to be a comprehensive report on the safety of any product or brand.

INTRODUCTION

The more we learn, the more we begin to realize how much is hidden from us. Non-toxic products occupy store shelves right next to those that contain toxic chemicals, and there is no way a parent 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.

This leaves us in a state of affairs in which children and babies are exposed all day, every day to 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. 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 conducting business 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.

The results of testing in Albany County, New York, show that the problem of toxic toys is not just local to Washington State, but widespread. Toys and children's products containing lead, cadmium, mercury, arsenic and other highly dangerous chemicals were easily found on store shelves in each of the Albany County stores surveyed.

If we fail to address this public health and environmental problem, exposure to toxic toys and other products today can cause lifelong harm to many children in our community. County legislators must act now to ban the most dangerous toxic threats. Retailers must stop putting dangerous products in their stores, so parents will know that the toys they buy are safe. Children and babies in the Capital Region can't wait any longer.

The Science: Chemicals Cause Health Problems

Toxic chemicals threaten children's health. They are known to cause cancer, learning disorders, genetic anomalies, hyperactivity, developmental disorders, asthma, obesity and infertility. Autism spectrum disorder rates have risen such that one in 88 children today now has the disorder. Childhood leukemia increased by 62% and brain cancer increased by 39% since 1973. Asthma incidence and mortality have more than doubled since 1991. It is estimated that 28% of these disorders are due to direct toxic environmental exposure, or combinations of exposures with genetic susceptibility. Genetics loads the gun, environment pulls the trigger.

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 the 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 toxics. They also put everything in their mouths, greatly increasing the likelihood that they will ingest dangerous chemicals that leach out of products. Children's immature metabolism makes them less able to break down and excrete toxic chemicals.¹

Toxic chemicals in household products contribute to the rise in diseases. For example, childhood cancer is the leading cause of death among New York's children from 5 to age 15. The rates of childhood cancers have been trending upward since 1975. Childhood cancer survivors go on to have chronic health issues including second cancers, heart damage, osteoporosis and thyroid problems. As the 2008-09 President's Cancer Panel stated, "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, are unstudied and largely unregulated, exposures to potential environmental carcinogens is widespread."²

Diseases of environmental origin are preventable. Eliminating exposure to environmental hazards is the best defense against them. Efforts to remove toxic exposure have been successful in the past. The removal of lead from gasoline resulted in a 90% reduction of in blood lead levels in American children; decreased use of alcohol during pregnancy has greatly reduced 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, we do know that 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. Reducing the use of asthmagens will reduce the incidence of asthma, as well as the number and frequency of asthma attacks.

The Problem: Toxic chemicals are added to products that are found in virtually every home and 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 the unnecessary, preventable exposure to toxic chemicals.

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 Products 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 go nearly far enough.

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 database has reports from over 100 companies listing 4,605 products that contain chemicals of concern.³

The Data: Albany County Stores Sell Toxic Toys

Clean and Healthy New York conducted product testing at stores in Albany County, including Walmart, Target, Party City, Ollie's Bargain Outlet and Ocean State Job Lot. In this report, we identify a dozen products for children that contain chemicals that can harm their health, as detected by an X-Ray Fluorescence Analyzer (XRF for short). The XRF can detect a range of elements like lead, mercury, chlorine and bromine, but it can't detect complex molecules like most flame retardants or pesticides, or volatile organic compounds.

For this reason, we focused on identifying products containing the following heavy metals:

- Antimony – 2,376 uses in children's products reported to Washington State
- Arsenic – 269 uses in children's products reported to Washington State
- Cadmium – 227 uses in children's products reported to Washington State
- Cobalt – 4,838 uses in children's products reported to Washington State
- Lead – not reported, as it is banned nationally
- Mercury – 133 uses in children's products reported to Washington State

We found:

- Antimony in three products: metal charms in a jewelry kit, beads in another jewelry kit, and a doll.
- Arsenic in three products: in beads in a jewelry set, and in two hair clips.
- Cadmium in two products: in metal charms in a jewelry kit, and rhinestones in another jewelry kit.
- Cobalt in six products: a hair clip, in beads in a jewelry set, in beads in a bracelet, in decorations on a hair clip, the back of a hair clip, and in a keychain.
- Lead in five products: in beads and a charm in a jewelry kit, on the front of two hair clips, the back of a hair clip, and a luggage tag.
- Mercury in three products: beads in two jewelry kits, and a wooden necklace.

Many of the levels were relatively low, but in three cases, heavy metals constituted more than 10% – once as much as 25% – of the item tested.

The toxic chemicals we found

1. Charms & Angels bracelet making kit



Arsenic, antimony, lead, mercury, cadmium

2. Monster High Draculaura Freaky and Fabulous Doll



Antimony

3. DA Fashion hair clip (yellow)



Arsenic, lead

4. DA Fashion hair clip (paisley purple)



Arsenic, cobalt, lead

5. Get Outta Town luggage tag



Lead

6. D.I.Y. Beaded Sparkle Charm Jewelry



Antimony, cobalt, lead, mercury, cadmium

in toys sold in Albany County

7. DM Productions Breast Cancer Awareness charm bracelet



Arsenic, cobalt

8. Expressions 16-piece accessory set



Cobalt

9. Expressions wooden flower necklace



Mercury

10. Crown hair clips, bracelet and necklace



Cobalt

11. Hot Wheels Boulevard 1955 Red Corvette



Cadmium

12. Lego Legends of Chima LEDLite/keychain



Cobalt

Summary & Recommendations

Makers of children's products reported widespread use of toxic chemicals under a landmark Washington State disclosure law. In all, 4,605 children's products and toys contained at least one of 49 hazardous chemicals. Our survey showed that these products are not just sold far away — they are on store shelves right here in the Capital Region.

Even though there has been progress in reducing the number of children's products and toys that contain toxic chemicals, more work is needed. 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. In this absence of Congressional 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 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 2014, 41 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.

RECOMMENDATION

County legislators in the Capital Region should protect children from toxic chemicals by banning the sale of toys and children's products that contain them.

In the absence of state or national policies, localities have acted in the past to protect the health of local communities. Albany, Schenectady and Suffolk Counties banned the use of BPA in baby bottles and sippy cups. Several counties passed the Pesticide Neighbor Notification bill. Local governments have shown that they will act to protect their residents. Localities in the Capital Region should pass laws to prevent the sale of toys and children's products that contain the most dangerous toxic chemicals. A bill called the Toxic-Free Toys Act was recently introduced by Albany County Legislator Bryan Clenehan, which would do just that.

RECOMMENDATION

Shopkeepers 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 are free of these toxic chemicals. Retailers can learn how through the Getting Ready for Baby Campaign, which works with retailers to urge their suppliers to stop using hazardous chemicals in infants and children's products.

Appendix I

#	Description	Store	Part
1	Charms & Angels bracelet-making kit	Ocean State Job Lot	light blue beads
			white bead
			magenta beads
			metal cherub charm
			metal angel charm
			metal dancer charm
			yellow bead
			metal fairy charm
			pink bead
2	Monster High Draculaura Freaky and Fabulous Doll	Target	pink boot legs
3	DA Fashion hair clip (yellow)	Ocean State Job Lot	yellow paint
4	DA Fashion hair clip (paisley purple)	Ocean State Job Lot	front
			clip
5	Get Outta Town luggage tag	Ocean State Job Lot	pink skull
			black skull & cross bones
			clip and strap
6	D.I.Y. Beaded Sparkle Charm Jewelry	Ocean State Job Lot	dark beads
			stick-on rhinestones
7	DM Productions Breast Cancer Awareness harm bracelet	Party City	back of ribbon charm
			beads
8	Expressions 16-piece accessory set	Party City	purple and white rhinestone clip (front)
9	Expressions wooden flower necklace	Party City	magenta flower beads with yellow painted dot
10	Crown hair clips, bracelet and necklace	Walmart	hair clip metal
11	Hot Wheels Boulevard 1955 Red Corvette	Ollie's Bargain Outlet	front hood
12	Lego Legends of Chima LEDLite/keychain	Target	keychain

Total number of products with each chemical

Data on Our Findings

Quantity of chemical in parts per million (ppm)

Arsenic	Antimony	Cobalt	Lead	Mercury	Cadmium
21				13	
21				18	
47			368	12	
	1490		15		
					232
	5630				157000
11				7	
	4932				248100
6					
	182				
12			67		
42		92	279		
		108000	1626		
			45		
			54		
			107		
	5428	138	132	41	
					89
7		308			
		864			
				22	
		3469			
					63
		2883			

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3

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Appendix II: Chemical Factsheet

Chemical Where commonly found Health effects

Antimony	A heavy metal used in glass, ceramics, pottery cables, batteries, and fire retardant chemicals	Cardiac toxicity, irritation of respiratory tract, liver damage premature births and spontaneous abortions
Arsenic	A mineral found children's car seats, stuffed toys, bed frames, arts & crafts supplies	Cardiac toxicity, irritation of respiratory tract, liver damage premature births and spontaneous abortions
Benzene	A mineral found children's car seats, stuffed toys, bed frames, arts & crafts supplies	Genetic mutations, leukemia, inhibited fetal growth and development
Cadmium	A heavy metal used in children's car seats, sleeping bags, toys, arts & crafts supplies, tobacco smoke, plant fertilizers, and industrial paints	Breast or uterine cancer, early onset puberty, kidney and lung damage, loss of motor skills and behavior dysfunction
Cobalt	A heavy metal used in ceramics, magnets, paint, pacifiers, teething rings, bibs, changing mats, bath and stuffed toys, jewelry and utensils	Carcinogen, lung cancer and reduced lung function, memory deficits, behavioral problems and cognitive impairment.
Lead	A heavy metal used in plastic toys, baby rattles, children's jewelry	Neurotoxin and endocrine disrupter, lower IQ scores, memory, auditory and visual dysfunction, slowed growth, anemia, poor impulse control and behavioral problems
Mercury	A heavy metal used in plastic toys, baby rattles, children's jewelry	Decreased motor function and memory, numbness, hearing and speech impairment, coma and death

Methodology

In late October and early November 2014, we visited a number of stores, and using our X-Ray Fluorescence (XRF) Analyzer, identified a dozen products that contained chemicals of concern. We then tested more thoroughly in our offices, using the XRF Analyzer. Sampling was not random: We used information from Washington State's database as our guide, along with past experience in testing products. Our testing was not a systematic survey of any product type, brand, or store.. We are not reporting products for which we found no chemicals of concern or found them only at levels below 10 parts per million. A number of products contained less than 10 parts per million of some heavy metals, but we only report these levels if higher levels of another chemical were found.

About the XRF Analyzer:

The portable X-Ray Fluorescence Analyzer is one produced by Innov-X. XRFs are used by government agencies and product manufacturers to test consumer products for toxic chemicals. XRFs can test elements such as lead, cadmium, chlorine, arsenic, mercury, cobalt, and antimony. It can detect elements at the level of parts per million.

FOOTNOTES

1. Landrigan, et al, New York State's Children and the Environment, A Report from the Children's Environmental Health Center, Icahn School of Medicine at Mount Sinai, December 2013.
2. Reuben SH, (2010) 2008-09 Annual Report Reducing Environmental Cancer Risk: What We Can Do, Now, Bethesda MD. The President's Cancer Panel.
3. <http://www.ecy.wa.gov/programs/swfa/cspa/search.html>.

CLEAN & HEALTHY NEW YORK

Clean and Healthy New York, Inc. (CHNY) advances broad policy and market changes to promote safer chemicals, a sustainable economy and a healthier world.

Learn more at www.cleanhealthyny.org.



The mission of the New York League of Conservation Voters Education Fund (NYLCVEF) is to educate, engage and empower New Yorkers to be effective advocates on behalf of the environment.

Learn more at www.nylcvef.org.