



# TOXIC TOYS IN ERIE COUNTY



A  
report  
by



Clean & Healthy  
New York



NEW YORK LEAGUE OF  
CONSERVATION VOTERS  
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# Executive Summary

Children's products containing toxic chemicals are for sale in Erie 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 11,359 uses of toxic chemicals in children's products in 2014, this report is the first to survey a targeted list of the most dangerous ones on the store shelves in Erie County.

We visited Target, Macy's, Spencers, Party City, Justice and The Dollar Store in Erie County in March 2015 and tested a variety of toys, accessories, novelty products and apparel. 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:

- Arsenic in two products: toy flashlight and earrings
- Antimony in two products: toy flashlight and toy doll
- Cadmium in eight products: toy train, toy cars, clothing and jewelry
- Cobalt in six products: toy train, hair clips, clothing and jewelry
- Mercury in one product: jewelry
- Lead in one product: toy train

This survey report, while not exhaustive, shows that there are toxic heavy metals used in a variety of children's products and sold at discount retailers, midpriced big-box stores as well as department stores. We know that there are thousands of such products on store shelves because of government reporting data; this report shows that they are present on store shelves in Erie 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 the sale of toys and children's products that contain them. Shopkeepers should also refrain from selling children's products containing toxic chemicals.

## Acknowledgments

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Research: Bobbi Chase Wilding, MS

Special thanks to:

Bobbi Chase Wilding, Deputy Director, CHNY

Christopher Goeken, Director of Public Policy, NYLCVEF

Kathleen Curtis, Executive Director, CHNY

# INTRODUCTION

Non-toxic products occupy store shelves right next to those that contain toxic chemicals. 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.

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. 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 Erie County 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 and other highly dangerous chemicals were easily found on store shelves in each of the Erie 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. Legislators in New York should 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 Erie County can't wait any longer.

# The Science: Toxic 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 68 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. The National Academy of Sciences determined that 28% of developmental disorders are due to direct toxic environmental exposure, or combinations of exposures with genetic susceptibility.<sup>1</sup> Genetics loads the gun, environment pulls the trigger.

Toxics 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 be-

havior 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.<sup>2</sup>

Toxic chemicals in household products contribute to the rise in diseases. In 2012, childhood cancer was the second leading cause of death (after accidents) 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.”<sup>3</sup>

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 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 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.

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 children's product database shows 11,359 uses of toxic chemicals in children's products.<sup>4</sup>

# The Data: Erie County Stores Sell Toxic Children's Products

Clean and Healthy New York conducted product testing at stores in Erie County including Target, Macy's, Spencers, Party City, Justice and The Dollar Store. 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.

We found:

- Arsenic in two products: toy flashlight and earrings
- Antimony in two products: toy flashlight and toy doll
- Cadmium in eight products: toy train, toy cars, clothing, and jewelry
- Cobalt in six products: toy train, hair clips, clothing, and jewelry
- Mercury in one product: jewelry
- Lead in one product: toy train

# Toxic chemicals in children's

## 1. Just Play Monster High Frankie Stein



Antimony

## 2. Thomas & Friends Take-n-Play Overall Dress



Lead, Cobalt, Cadmium

## 3. Pink Flower Hair Clips



Cobalt

## 4. Cobalt Blue Dress



Cadmium, Cobalt

## 5. Superman Projector Flashlight



Arsenic, Antimony

## 6. OshKosh B'Gosh Flowered Overall Dress



Cobalt, Cadmium

# products & toys in Erie County

## 7. Breast Cancer Bracelet



Cadmium

## 8. Justice Flower Chain Necklace



Cadmium, Cobalt

## 9. Cars Race Day Gift Pack



Cadmium

## 10. Hot Wheels Exotics Pack



Cadmium

## 11. Icing Earrings Set



Mercury, Arsenic, Cobalt, Cadmium

## 12. Red Four-Wheeler



Cadmium

# 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 Erie 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. 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, 40 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.

# Summary & Recommendations

## **New York State should address the issue of toxic chemicals in children's products.**

In the absence of state or national policies, however, localities have acted in the past to protect the health of local communities. Albany legislators recently passed a bill that bans the sale of seven toxic chemicals in children's products. Westchester and Suffolk counties have both introduced similar legislation that is moving through their respective committee processes. Further, Albany, Schenectady and Suffolk Counties banned the use of BPA in baby bottles and sippy cups, and several counties have passed the Pesticide Neighbor Notification bill. Local governments are showing that they will act to protect their residents. Erie County should pass laws to prevent the use of the most dangerous toxic chemicals in children's products and toys.

## **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	Monster High Frankie Stein	Target	green face
1	Monster High Frankie Stein	Target	bottom of foot
2	Thomas & Friends Take-n-Play	Target	front magnet
2	Thomas & Friends Take-n-Play	Target	side rear car
3	Pink Flower Hairclips	Target	metal back
4	Blue Dress	Macy's	snap front
4	Blue Dress	Macy's	snap back
5	Superman Projector Flashlight	Spencer's	superman logo
6	Osh Kosh B'Gosh Flower Overalls	Macy's	clip
6	Osh Kosh B'Gosh Flower Overalls	Macy's	female side snap
7	Breast Cancer Bracelet	Party City	back of ribbon charm
8	Flower Necklace	Justice	back of flower
8	Flower Necklace	Justice	end chain
9	Cars Race Day Gift Pack	Target	green car wheel
10	Hot Wheels HW Exotics 5-Pack	Target	white car top
10	Hot Wheels HW Exotics 5-Pack	Target	powder blue car rear
11	Icing Earrings Set 6-Pack	Icing	bows
11	Icing Earrings Set 6-Pack	Icing	black hearts
11	Icing Earrings Set 9-Pack	Icing	pink flowers
11	Icing Earrings Set 9-Pack	Icing	black daisies
11	Icing Earrings Set 9-Pack	Icing	heart pearls
11	Icing Earrings Set 9-Pack	Icing	black pearls
11	Icing Earrings Set 9-Pack	Icing	gold balls
12	Red Four-Wheeler	Dollar Tree	main body

**Total number of products with each chemical**

# Data on Our Findings

## Quantity of chemical in parts per million (ppm)

Cadmium	Antimony	Arsenic	Mercury	Cobalt	Lead
	209				
	153				
				3160	57
66					
				11700	
				110	
				204	
	396	4			
				2145	
235					
1368					
181					
				893	
239					
48					
177					
				398	
				6707	
120					
117				7366	
		17	10		
578				7897	
				1168	
170					

# 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 March 2015, we visited a number of stores in Erie County and purchased over a dozen children's products. We then tested the toys thoroughly in our offices, using an X-Ray Fluorescence 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. National Academy of Sciences Committee on Developmental Toxicology, (2000) Scientific Frontiers in Developmental Toxicology and Risk Assessment, Available from:

[http://www.nap.edu/openbook.php?record\\_id=9871&page=R1](http://www.nap.edu/openbook.php?record_id=9871&page=R1).

2. 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.

3. Reuben SH, (2010) 2008-09 Annual Report Reducing Environmental Cancer Risk: What We Can Do, Now, Bethesda MD. The President's Cancer Panel.

4. <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.*

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