



Toy Industry Association, Inc.

TESTIMONY OF

TOY INDUSTRY ASSOCIATION (TIA)

SUBMITTED TO

CONNECTICUT STATE LEGISLATURE
JOINT COMMITTEE ON ENVIRONMENT
RE: SENATE BILL 791 AND HOUSE BILL 6572

MARCH 2, 2009

www.toyassociation.org

The following testimony on Senate Bill 791 and House Bill 6572 is submitted on behalf of Toy Industry Association (TIA). TIA is a not-for-profit trade association composed of more than five hundred (500) members, both large and small in size.

Toy Industry Association and its members have long been leaders in the area of toy safety. We work year-round developing toy safety standards for toys – working with industry, government, consumer organizations, and medical experts in this effort – and the U.S.’s risk-based standards are widely used as models around the globe. We support

We respectfully submit the following concerns related to Senate Bill 791 and House Bill 6572 which propose to restrict the sale of toys in Connecticut containing Bisphenol-A.

Bisphenol-A (BPA):

BPA is used in polycarbonate plastic and *specifically chosen for the safety it imparts to products, making them shatter-resistant and hygienic.* Some of the products that utilize BPA for these safety properties include protective gear such as helmets and safety glasses, as well as eyeglass lenses, contact lenses, and baby bottles. BPA is also approved by the U.S. Food and Drug Administration (FDA) for very sensitive applications, including medical and food contact use, and, as such, is used widely in food storage containers and medical equipment. BPA is used less extensively in children’s toys but is utilized when shatter-resistant properties are called for to eliminate the risk of breakage – which can lead to the creation of hazards such as small parts (potential choking hazard) and/or sharp edges in a child’s environment.

There is strong science to support the safe use of BPA in these applications. (You will hear testimony from experts on the science demonstrating the very low risk associated with BPA as

well as the unique safety benefits it provides.) A ban on BPA does not take into consideration the science supporting its safe use – or the benefits polycarbonate provides. Further, BPA is not restricted by any legislature anywhere in the world. Inconsistency with existing international, federal and all other state requirements, without regard to scientific risk, threatens the viability of toy manufacturers, distributors and retailers in the State to provide safe toys to consumers. It puts businesses in the position of finding less-tested, potentially less safe alternative materials, that may not have the benefits that BPA/polycarbonate offers *and can result in unintended consequences – in products that do not hold up to the rigors of children’s play and create new, acute risks for children.*

TIA commends the bill sponsors for their keen interest in the safety of children. We share that interest, indeed, our industry is founded on the mission of bringing fun and joy to children’s lives – and in that pursuit protecting the safety of our young consumers is our top priority. Toys are highly regulated in the U.S., and U.S. regulations and standards for toys are widely modeled around the globe. Yet no other legislature has imposed such a ban on BPA.

In addition to the potential unintended *new risks that a ban on BPA may introduce*, differing requirements for Connecticut versus other state and federal requirements will pose undue burden on Connecticut business, keeping safe product out of stores in the State and forcing consumers to look elsewhere for product – or do without.

Further, with toys highly regulated in the U.S., there are existing regulatory mechanisms to ensure the safety of the chemicals used in toys and other consumer products, relying on a variety of sources to review relevant scientific information and develop appropriate public

policy, based on science to reduce potential harm¹. A parallel effort by the State would burden state resources and lead to additional burdens on businesses there to comply – *at a time when we cannot afford to needlessly burden businesses already facing economic challenges* – and at the risk of creating unintended safety issues.

We respectfully urge you to carefully consider science supporting the safe use of BPA as well as the unintended consequences of imposing such a ban – on a substance specifically chosen for its safety, while substitute substances may not share those qualities – and the effect of such a ban on Connecticut business.

On behalf of the members of Toy Industry Association, we thank you for consideration of these concerns.

¹ Toys sold in the U.S. are subject to a number of national standards and regulations, including but not limited to, the Federal Hazardous Substances Act; the Consumer Product Safety Act; ASTM F963 Standard Consumer Safety Specification on Toy Safety (adopted as mandatory consumer product safety standard in February 2009; and the Consumer Product Safety Improvement Act of 2008. For more information see http://www.toyassociation.org/AM/Template.cfm?Section=U_S_Standards&Template=/TaggedPage/TaggedPageDisplay.cfm&TPLID=64&ContentID=1844.