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## CPSC delays lead testing enforcement

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WASHINGTON (AP) - Makers of toys and other children's products won a reprieve Thursday from federal regulators trying to implement legislation Congress passed more than a year ago after a holiday season marred by scores of lead-tainted toy recalls.

The Consumer Product Safety Commission voted to delay for another year - until February 2011 - the certification and independent third-party testing rules on the amount of lead allowed in children's products. Those rules were set to kick-in last February but have been delayed twice.

Manufacturers and importers still must test their products to make sure they're safe and meet federal limits on lead. But the commission's decision late Thursday means they won't have to produce compliance certificates and perform third-party testing for now, though many are already doing so at retailers' requests.

Even so, the commission's action was aimed at giving businesses more time to comply with the many additional requirements spelled out in the 2008 product safety law.

"The extension of the stay was needed in order to give the agency more time to promulgate rules," CPSC Chairman Inez Tenenbaum said in a statement.

Republican Commissioners Nancy Nord and Anne Northup had pushed for the delay until 2011, but Democratic Commissioner Robert Adler said the disruption in the marketplace was overstated. Adler was the lone vote against the delay, instead advocating a 6-month delay.

As it implements the law, the agency is still writing rules, such as the definition of a children's product and how often companies will have to test their products for lead, lead paint and chemicals used in plastics known as phthalates.

Lead can cause irreversible brain damage, and phthalates, used to soften plastics, have been linked in some studies to reproductive problems.

The law passed with overwhelming support in Congress and much fanfare from consumer advocates and parents who worried about small children, who often mouth toys, and the effect of lead and phthalates in products.

Big toy-makers - some of whom had high-profile lead recalls - backed the legislation. But smaller companies that make toys, children's educational products and homemade crafts complained the legislation was overly broad, forcing them to test and certify products they already knew to be safe, a cost they feared would put them out of business. The testing can cost anywhere from a few hundred dollars to thousands, depending on the product and the required tests.

In an effort to ease the burden on businesses, the commission also voted to allow manufacturers and importers to rely on testing from suppliers of buttons, paint, zippers and other parts that might be used in a toy, clothing or other product for a child.

Previously, the entire finished item would have to be tested. Now, under the CPSC's interim policy, toy-makers and others can take testing certificates from the parts' suppliers - cutting down on some of the costs associated with the testing for lead.

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On the Net:

Consumer Product Safety Commission: <http://www.cpsc.gov>

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