

**Congress of the United States**  
Washington, DC 20510

December 20, 2019

Mr. Robert S. Adler  
Acting Chairman  
Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

Dear Acting Chairman Adler:

We write to express our serious concerns regarding recent reports that a child from Minnesota was found with toxic blood levels of lead and cadmium after playing with an off-brand spin toy that was purchased online and to request that the Consumer Product Safety Commission (CPSC) open an investigation and take steps to ensure that contaminated toys are taken off the market to ensure that children are safe.

Over 400,000 Americans die each year due to lead exposure,<sup>1</sup> which is also extremely hazardous to children's health by causing brain and nervous system damage.<sup>2</sup> Similarly, cadmium—a carcinogen that can cause kidney, lung, and bone damage—is incredibly dangerous for children.<sup>3</sup> Last month, the Minnesota Department of Commerce banned the sale of off-brand versions of a popular spin toy after a Minnesota child was found to have elevated toxic blood levels of lead and cadmium after playing with the toy.<sup>4</sup> State investigators tested 50 name-brand and off-brand versions of the same toy purchased on the websites Amazon, AliExpress, and Wish.com and confirmed that there were toxic levels of lead and cadmium in 15 off-brand versions of the toy.<sup>5</sup>

The CPSC plays a critical role in ensuring the safety of our children, including investigating hazardous children's products and banning ones that present an unreasonable safety risk.<sup>6</sup> While the three websites in the investigation stopped selling the off-brand toxic spin toys, we remain concerned that parents may unknowingly purchase these toys on other websites. In addition, the packaging of the off-brand toys is designed to look like the name-brand toys, making it difficult for parents to identify which toys are safe and which toys are dangerous.<sup>7</sup>

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<sup>1</sup>Lanphear, Bruce P., Rauch, Stephen, Auinger, Peggy, Allen, Ryan W., & Hornung, Richard. (2018). Low-level lead exposure and mortality in US adults: a population-based cohort study. *The Lancet Public Health, Volume 3* (4), pp. 177-184. Retrieved from [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(18\)30025-2/fulltext](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(18)30025-2/fulltext)

<sup>2</sup> Environmental Protection Agency. (2019, August 12). Learn about Lead. United States Environmental Protection Agency. Retrieved from <https://www.epa.gov/lead/learn-about-lead#exposure>

<sup>3</sup>United States Department of Labor Occupational Safety and Health Administration. Retrieved from <https://www.osha.gov/SLTC/cadmium/healtheffects.html>

<sup>4</sup> Stanley, Greg. (2019, November 27). *Minnesota bans off-brand spinning toys for excessive lead*. StarTribune. Retrieved from <http://www.startribune.com/state-bans-certain-small-toys-for-excessive-lead/565479802/?refresh=true>.

<sup>5</sup> *Id.*

<sup>6</sup> United States Consumer Product Safety Commission. Contact / FAQ. About CPSC. Retrieved from <https://www.cpsc.gov/About-CPSC/Contact-Information>

<sup>7</sup> Stanley, Greg. (2019, November 27). *Minnesota bans off-brand spinning toys for excessive lead*. StarTribune. Retrieved from <http://www.startribune.com/state-bans-certain-small-toys-for-excessive-lead/565479802/?refresh=true>.

We believe one lead-contaminated toy is too many and that it is unacceptable that parents could unknowingly purchase contaminated toys for their children. Given the seriousness of this issue and recognizing that families are spending a significant amount of time shopping online, we urge the CPSC to ensure that no contaminated toys remain on the market so that parents can shop safe and kids can play safe. We respectfully request that you respond to the following questions:

1. What is the CPSC doing to investigate whether the spin toys containing toxic chemicals that were banned in Minnesota remain on the market?
2. Does the CPSC have a system in place to monitor toys sold online for lead, cadmium, and other toxic chemicals?
3. What is the CPSC doing to educate parents on the risks of purchasing off-brand toys online, how to distinguish between name-brand and off-brand toys, and how to protect their children from toxic chemicals like lead and cadmium?
4. Does the CPSC need additional resources to improve its oversight of toys and ensure children's safety?

Thank you for your prompt attention to this matter. We look forward to your response.

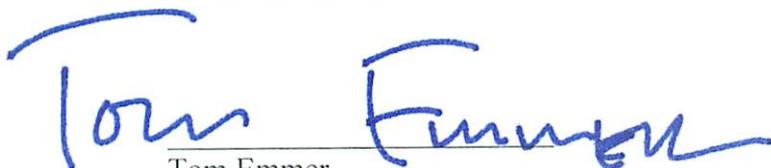
Sincerely,



Amy Klobuchar  
United States Senator



Betty McCollum  
Member of Congress



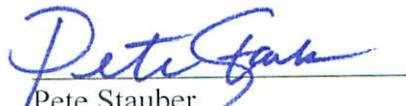
Tom Emmer  
Member of Congress



Angie Craig  
Member of Congress



Dean Phillips  
Member of Congress



Pete Stauber  
Member of Congress