

STATE OF NEW YORK
EXECUTIVE CHAMBER
ELIOT SPITZER, GOVERNOR

FOR IMMEDIATE RELEASE
August 17, 2007

CONTACT: Christine Anderson
canderson@chamber.state.ny.us
212 681.4640
518.474.8418

**GOVERNOR SPITZER ACTS TO PROTECT NEW YORK CHILDREN
FROM LEAD-POISONING THREAT IN TOYS**

With more than 9 million toys under recall worldwide from major manufacturers, Governor Eliot Spitzer today announced initiatives to keep lead-contaminated and hazardous toys off store shelves, raise public awareness, and institute further safety measures.

The current voluntary recall required by the federal Consumer Product Safety Commission (CPSC) does not require retailers to remove dangerous toys from store shelves.

“The federal government’s limited powers of enforcement and voluntary recalls are not enough to protect our children from the dangers of lead poisoning and other hazards,” said Governor Spitzer. “In the absence of federal laws requiring that hazardous toys be removed from store shelves and further circulation, New York is prepared to launch a series of initiatives to better protect children from toys that are known to be unsafe.”

The current recall required by the federal Consumer Product Safety Commission (CPSC) is on a voluntary basis. Because the CPSC is woefully understaffed and underfunded, they are not able to adequately monitor the voluntary recall, leaving some of the dangerous toys on shelves throughout New York State.

The Governor announced the following actions to deal with this issue:

Mandatory, not voluntary removal: The State Health Department (DOH) will take summary action under existing Public Health Laws to ensure that recalled toys are removed from New York stores, returned to manufacturers and appropriately destroyed. State Health Department and the state Consumer Protection Board (CPB) staff will inspect retailers to make sure that they comply. In the past 24 hours, the state has found numerous of the recalled toys still on shelves throughout the state.

Day care providers: The state Health Department and the Office for Children and Family Services are coordinating efforts to direct all day care providers to check their toys against the recall list and remove those toys immediately. Day care providers should

advise parents to contact their health-care practitioner to assess the need for blood lead testing.

Alert to physicians: Pediatricians and family physicians will receive an electronic health alert today from the Health Department to remind them to talk with parents about the health risks to children of the recalled toys, as well as the possible need for blood lead testing.

Better notices to parents: The CPB has a recorded message on its toll-free hotline number, available 24 hours a day and has consumer advisors available to assist parents in navigating the recall process during business hours. The Agency also has a toy inventory checklist on its website to help parents and guardians take stock of their toys in their home. In addition, Governor Spitzer called on toy manufacturers, their subsidiaries and their retailers to place notices prominently on their home pages when a recall is issued because of lead-poisoning dangers. Fisher-Price, a Mattel subsidiary, has no recall information on its home page, despite its recall on August 2. Retailers should also prominently display toy manufacturers' posters when a toy is recalled due to a lead threat or other danger.

Toy Testing Days: The CPB, DOH and other appropriate state agencies will work with retailers to conduct Toy Testing Days around the state, especially during the month of November, toy safety awareness month.

Recall Information in multiple languages: Governor Spitzer called on toy manufacturers to create and distribute educational posters in multiple languages for physician offices, retail stores and schools, and note prominently on their web sites that parents should contact their children's health care provider to assess the need for testing. (This press release and its attachments are being translated into Spanish, Russian and Chinese for distribution to ethnic media).

Legislative actions: The Governor will direct the CPB to draft legislation that would impose stiff civil and criminal fines against those who sell recalled products; require recalled products distributed in New York State to be destroyed and for manufacturers to certify their destruction to prevent the items from surfacing on the Internet or at a second-hand stores; require manufacturers to establish a notification system when recalling products and mandating that retailers post recall notices in a conspicuous fashion.

Quick and easy refunds: The state Consumer Protection Board (CPB) is urging Mattel and its Fisher-Price subsidiary to improve its return policy by instantly refunding the price of the product at the point of purchase, rather than relying on the companies' cumbersome mail-in voucher process. Currently, Mattel is instructing customers to mail back recalled toys for a voucher which they will receive within 6 to 12 weeks and is good for purchase of only a Mattel product. Yesterday, CPB Chairperson Mindy Bockstein sent a letter demanding that the company institute a recall procedure typical for other defective and dangerous products.

Commissioner of Health Richard Daines, M.D. said: "The national recall of many popular children's toys reminds us that all children are at risk of lead poisoning. Toys are

making headlines right now and rightfully so, but we should not lose sight of the fact that about 5,000 children a year are diagnosed with lead poisoning in New York State – mostly from lead paint in older housing. Lead poisoning is a serious health matter and the state must do everything possible to restrict children’s exposure.”

Lead exposure in children and unborn children can cause brain and nervous system damage, behavioral and learning problems, slowed growth, hearing problems and headaches. Most children with lead poisoning usually do not look or feel sick. The only sure way to know whether a child has lead poisoning is to get a blood lead test.

New York State Public Health Law requires health-care providers to screen all children by blood testing for lead exposure at ages 1 and 2. All children at risk for lead exposure – especially those who live in housing built before 1978 – should be tested at least once a year up to age 6. Elevated levels of lead in blood occur when children put paint chips, lead paint dust, lead-painted toys, contaminated imported medicines and foods, or other objects in their mouths.

CPB Chairperson Mindy Bockstein said: “The measures announced today are important safety measures. We will assist retailers in identifying and removing toys that are part of this recall, and we will work to make sure that these toys do not resurface in thrift stores and flea markets.”

Websites for the Consumer Protection Board (www.consumer.state.ny.us) and the Department of Health (<http://www.nyhealth.gov/environmental/lead/recalls/index.htm>) contain updated information on the toy recall. For consumers without Internet access, information on the Mattel recall is available by calling the CPB at 1-800-697-1220 or Mattel at 1-800-697-1220.

Parents are also encouraged to register with U.S. Consumer Product Safety Commission's website (www.recall.gov) for free e-mail alerts about future product recalls.

Governor Spitzer has a long history of protecting children from lead poisoning as Attorney General. In 2005, then-AG Spitzer forced Wal-Mart and Target to stop selling children’s lunch boxes that contained high levels of lead. He led a multi-state effort that resulted in paint manufacturers agreeing to place warning labels on all paint products to explain the risks of disturbing and preparing lead-contaminated surfaces. As Attorney General, Spitzer also investigated several New York health maintenance organizations (HMOs) that were not testing children for lead poisoning at an acceptable rate and subsequently developed “best practices” to help HMOs and doctors test more children for lead poisoning.

In his first Executive Budget, Governor Spitzer proposed and the Legislature agreed to spend an extra \$3 million on childhood lead-poisoning prevention.

###

ATTACHMENT 'A'

FISHER-PRICE, INC.

<u>Product Name</u>		<u>Product Number</u>
Elmo Light Up Musical Pal		33662
Ernie Light Up Musical Pal	33663	
Big Bird Light Up Musical Pal		33664
Elmo Stacking Rings		34658
Elmo Tub Sub		39038
Sesame Street Shape Sorter		39054
Elmo Keyboard		87946
Ernie Splashin' Fun Trike		90267
Elmo Collectible		90609
Cookie Collectible		90611
Zoe Collectible		90612
Ernie Collectible		90613
Big Bird Collectible		90614
Construction Playset		90745
Elmo Boom Box		93068
Action Fire Engine		93107
Press 'n Go Elmo		93307
Press 'n Go Cookie Monster		93308
Cookie Saxophone		93492
Elmo's Guitar		93493
Splash Tub Puzzle		93615
Music and Lights Phone		93780
Count to Beat Elmo		B7554
Shake, Giggle & Roll		B7888
Elmo in The Giggle Box		B7987

Silly Parts Talking Elmo	B7989
Dora's Talking House	B9620
Dora, Backpack, Perrito Figure Pack	C6908
Diego Figure pack	C6909
Swiper Figure Pack	C6910
Boots, Tico Figure Pack	C6911
Dora Talking Vamonos Van	G3825
Sing With Elmo's Greatest Hits	G5112
Giggle Doodler	G9717
Grow with Me Elmo Sprinkler	H2943
Cousin Daisy	H3343
Birthday Dora	H3344
Elmo & Pals (Elmo, Cookie, Ernie)	H5569
Elmo & Pals (Elmo, Zoe, Bigbird)	H5570
Dora Figures in Tube	H4187
Water Fun Tote	H4628
Dora 3 Pack Figures in Tube	H8236
Blue 3 Pack Figures in Tube	H8237
Sponge Bob 3 Pack Figures in Tube	H8238
Chef Dora	H9124
Bedtime Dora	H9125
Giggle Grabber Ernie	H9186
Giggle Grabber Oscar the Grouch	H9188
Diego Talking Field Journal	J0338
Go Diego Go Antarctic Rescue	J0343
Go Diego Go Deep Sea Rescue	J0344
Go Diego Go Mountain Rescue	J0345
Go Diego Go Talking Rescue 4 x 4	J0346
Giggle Grabber Soccer Elmo	J5935
Giggle Grabber Chef Cookie Monster	J5936

Sesame Street Giggle Toolbelt		J6537
Queen Mami	J6762	
Royal Boots and Tico		J6763
Prince Diego	J6765	
Sesame Street Tub Pots & Pans		J7983
Sesame Street Giggle Drill	J9518	
Dora's Talking Pony Place	J9692	
Twins Nursery		K0617
Diego - Talking Gadget Belt		K3414
Go Diego Go Mobile Rescue Unit	K3571	
Fairytale Adventure Dora		K3580
Go Diego go Dinosaur Rescue		K4139
Toucan Motorcycle Rescue		K4140
Dora Figure		L0305
Suprise Inside Diego Eggs	L3194	
Sesame Street Elmo Jack-In-The-Box		L3215
Sesame Street Birthday Figure Pack		L3488
Sesame Street Super Boom Box		L3507
Birthday Dora		L5202
Diego Tub trike		L5813
Pablo & Pals	L8905	
Dora Figures Dora & Kitty		M0351
Dora Figures Diego & Bear		M0352
Go Diego Go Talking Gadget		M0524
Sesame Street Giggle Doodler		M0527
Dora's Talking House		M0732
Let's Go Rescue Center		M2051
Fairytale Castle		M2052

MATTEL, INC.

Product Name

Product Number

“Sarge” die cast toy cars

Toy Jeep marked “7EA” and
“China” on the Bottom, including
product numbers M1253 and
K5925

ATTACHMENT 'B'

<u>Product Name</u>	<u>Product Number</u>
Polly Pocket! Polly Place Hangin' Out House	B2632
Polly Pocket! Polly Place Treetop Clubhouse	B3158
Polly Pocket! Spa Day	B3201
Polly Totally! Polly Place Totally Tiki Diner	B7118
Polly Pocket! Quik-Clik Boutique	G8605
Polly Pocket! Quik-Clik City Pretty Playset	H1537
Polly Pocket! Quik-Clik Sporty Style Playset	H1538
Polly Pocket! Totally Zen Playset	H3211
Polly Pocket! Happenin' Pet Station	55503
Polly Pocket! Polly Place Magnetic Additions Assortment	B2631
Polly Pocket! Activity Lunch box	B3203
Polly Pocket! Activity Locker	B3204
Polly Pocket! Collectible Lip Gloss	B3207
Polly Pocket! Collectible make Up Powder Puff	B3209
Polly Pocket! Dip N' Dive Pool	B3210
Polly Pocket! Birthday Surprise	B3396
Polly Pocket! Dazzlin' Pet Show Divine Dogs	B7078
Polly Pocket! Rick's Magic Show	B7082
Polly Pocket! Sweet Treats	B7125
Polly Pocket! Birthday Mail box	B7127
Polly Pocket! Stretch Polly Disco Lamp	B7128
Polly Pocket! Jewelry Box Purple	B7129
Polly Pocket! Polly Magnet Bus	B8478
Polly Pocket! Collectible Caboodle	B9521
Polly Pocket! Activity Lunch Box Pink	B9522
Polly Pocket! Activity Locker Orange	B9523

Polly Pocket! Polly Glitter Puff	B9525
Polly Pocket! Collectible Caboodle Purple	B9578
Polly Pocket! Fashion boutique on the Go	B9929
Polly Pocket! Birthday Mail box Pink	C0504
Polly Pocket! Jewelry Box Yellow	C0505
Polly Pocket! Disco Lamp	C1341
Polly Pocket! Disco lamp Purple	C1342
Polly Pocket! Mermaid Stars	G8602
Polly Pocket! Quick Click Playset	G8606
Polly Pocket! Snow Cool Hotel	G8612
Polly Pocket! Quick Click House of Style playset	G8614
Polly Pocket! Polly by Me Totally Beadiful	G8615
Polly Pocket! Quick Click penthouse	G8616
Polly Pocket! Quick Click movie Time Playset	H1553
Polly Pocket! Pollywood Limo Scene Vehicle	J1659
Polly Pocket! Pollywood Dial A Style Lila	J1661
Polly Pocket! Pollywood Dial A Style Lea	J1662
Polly Pocket! Stick N' Style	J1670
Polly Pocket! Pollyworld Rock in' Theme Park Playset	J1681
Polly Pocket! Pollyworld Dress N' Drive Lounge Playset	J1687
Pollyworld Theme Park Party Quick Click Doll and Fashion	J1695
Polly Pocket! Pollyworld Quick Click Polly Doll	J4169
Polly Pocket! Pollyworld Quick Click Crissy Doll	J4170
Polly Pocket! Pollyworld Quick Click Lea Doll	J4171
Polly Pocket! Pollyworld Quick Click Shani Doll	J4172
Polly Pocket! Pollyworld Costume Art Lea	J9305
Polly Pocket! Pollyworld Gift Shop Lila	J9306
Polly Pocket! Twirl and Swirl Beauty Case	J9648
Pollyworld Dial a Song Polly Fashions	J9965
Pollyworld Dial a Song Polly Fashions	J9966

Pollyworld Rockin' Tour Bus	K3460
Polly Pocket! Quick Click Pool Party Playset	H1554
Doggie Day Care Coco	H1532
Doggie Day Care Sparley	H1533
Doggie Day Care Lula and Baby	G4461
Doggie Day Care Crockett and Baby	G4462
Doggie Day Care Taffy and Baby	G4464
Doggie Day Care Snack Time with Cookie	G4459
Doggie Day Care Diaper Change with Ginger	G4460
Doggie Day Care Ice Cream with Ranger	H1530
Doggie Day Care Puppy Park with Dixie	G9703
Doggie Day Care Dream House nursery with Honey	G4457
Doggie Day Care Bath Time with Beau	G4458
Barbie and Tanner play set	J9472
Barbie and Tanner play set	J9560
Batman Magna Battle Armor Batman figure	J1944
Batman magna Fight Wing Batman figure	J1946
Batman Secret ID figure	J5114
Batman Flying Fox figure	J5115
One Piece Triple Slash Zolo Roronoa figure	J4142
Polly Pocket! Poly Place Gameron Garage playset	B3211