

It does not appear that the impact to the secondary market was considered. It could not have been Congress' intent to destroy all resale businesses associated with children's products and have such disregard for the environment. With the current state of the economy, the resale industry provides an affordable alternative for people to provide for their children and provides the best outlet for recycling items that are still safe and very useful.

We urge Congress and the CPSC to consider exclusions for apparel and other products that are inherently lead free. The new lead standards, applicable to children up to 12 years of age, go well beyond the necessity for apparel. Children over three years of age generally do not mouth clothing or footwear. Therefore, we request the age limit be lowered to three years of age for products other than toys. We are in favor of better safety standards but do not feel they should be designed to threaten the viability of our industry. These terrible burdens need to be relaxed to make it possible to conduct a safe, appropriate and healthy business supplying children's products.

Thank you for considering my views on this urgent matter.

Sincerely,

Name

Store Name

Address

email

Sample Letter to Congress

Date

Honorable (Insert name of Senator/Representative)

Address of Senator/Representative

Dear Senator/Representative (last name):

I am writing to ask your immediate assistance to deal with an urgent problem relating to the Consumer Product Safety Improvement Act of 2008 (CPSIA).

The CPSIA legislation was an important contribution in efforts to strengthen product safety laws to make sure only safe and compliant children's products are sold. While well-intentioned, if the CPSIA goes into effect unaltered on February 10, 2009, it will force children's resale and consignment shops to close immediately. Not for profit thrift stores will have to discontinue their children's departments, greatly affecting their charitable works. This will also have a very negative impact on the environment.

We are most sincere advocates of child safety and are aware of and understand the importance of adhering to the rules and regulations governing child product safety. We are small business owners of resale or consignment shops or managers of Not For Profit thrift stores. Most of us are parents and grandparents.

As you know, the August 14, 2008 legislation included a new ban on lead in children's products (no more than 600 parts per million (ppm) by weight of any part of the product.) According to the CPSIA, the new lead requirements take effect beginning February 10, 2009. However, the Consumer Product Safety Commission (CPSC) has determined that this new requirement will apply to goods in inventory, as well as goods manufactured on or after that effective date, making this new lead requirement retroactive. This means that all our current inventory which is safe and legally compliant today, will not be able to be sold on February 10. This will also apply to inventory made available to us in the near future as the secondary market has a longer merchandise cycle than the primary market. Because permanent marks/tracking labels are not mandatory in garments until August 14, 2009, how will our stores verify the chain of custody necessary to identify which garments ARE compliant? Since we deal in mainly one-of-a-kind items, it is impossible to test our inventory as the testing process is destructive.

With the retroactive ruling on the lead standard our industry will be faced with tons and tons of children's products that cannot be legally sold after February 9, 2009. We cannot wave a magic wand and make them disappear. They will end up in the landfills! The waste will not end there, but will continue for years to come when consumers try to discard items they currently have in their homes that they can no longer sell or donate.

Going one step further, when children's resale and consignment stores have to close, consumers will drop children's products at thrift stores—even though they publicize they are no longer accepting children's items—forcing thrifts to dispose of a vast volume of merchandise at a great expense. This will seriously deplete the funds they work so hard to raise for the worthy causes they support.