United States Senate
Committee of Environment and Public Works

Lead and Children's Health Hearing
October 18, 2007

WRITTEN STATEMENT OF
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Representing the
Sierra Club
Improving Kids' Environment
and
Concerned Clergy of Greater Indianapolis

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The Situation:

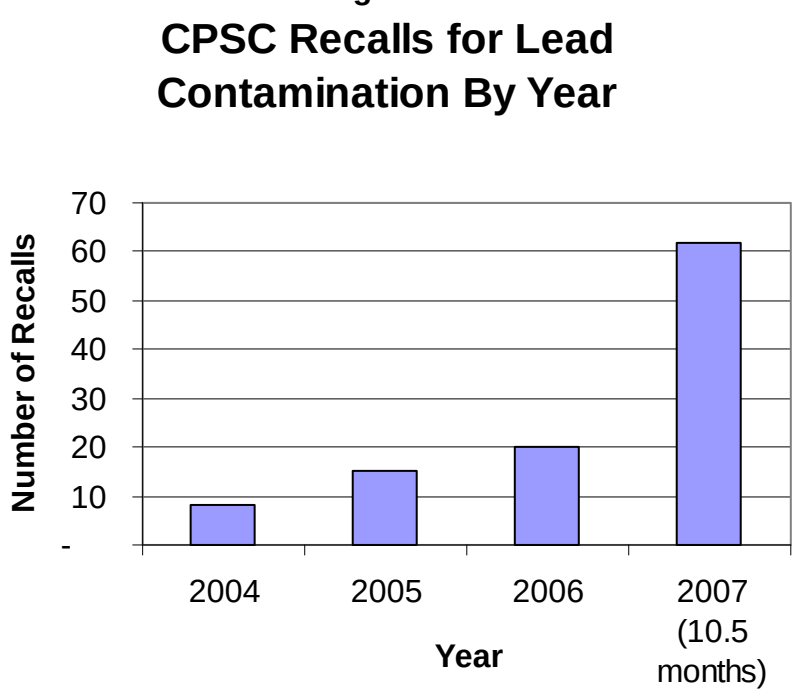
Sixty-two recalls of more than 9.5 million items in 2007 with ten weeks to go before the end of the year. There were 43 recalls by the Consumer Product Safety Commission (CPSC) in the previous three years.[1]

The public is dazed and confused. The CPSC is overwhelmed and left to triage recalls based on the magnitude of the danger. In the absence of federal leadership, state and local legislators scramble to adopt laws to fill gaps. State and local childhood lead poisoning prevention programs struggle with calls from the public. These calls draw their limited resources away from their core mission to protect children from the primary source of lead poisoning – lead-based paint in housing. By all accounts, product retailers and importers of children's products are faring little better.

What is happening?

Put simply, parents, local health departments, and children's health advocates have lost faith in the federal government's ability and commitment to protect children from lead poisoning.

Figure 1



The Minnesota child's death in February 2006 laid bare the tattered network designed to protect children from toxic chemicals in consumer products.[2] As a result, citizens took matters into their own hands and started testing products. They used low-cost swabs that change color when the swabs contacted lead.[3] They used expensive x-ray fluorescent (XRF) devices designed for lead-based paint to measure lead levels in plastic, metal, and coatings on toys.[4]

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[1] See www.cpsc.gov/cpscpub/prerel/prerel.html.

[2] U.S. Centers for Disease Control and Prevention, Morbidity and Mortality Weekly Report, Dispatch, March 23, 2006 / 55(Dispatch);1-2.

[3] National Center for Healthy Housing, *Testing for Lead in Consumer Products for Children*, August 14, 2007. See www.centerforhealthyhousing.org/factsheet-leadtestconprod.pdf

[4] Id.

When they found lead, they filed complaints forcing action. When the federal government was slow to act, they went to their elected officials. California, Illinois, and Baltimore adopted laws.[5] Indiana, New York and Illinois issued their own recalls.

Despite these efforts, the problem remains. At the Indiana Black Expo's Health Fair in August 2007, the Concerned Clergy of Greater Indianapolis and Improving Kids' Environment found that 62% of almost 400 children's metal jewelry items and 32% of 85 plastic jewelry items contained more than 600 parts per million of lead – CPSC's screening level.[6] The Indiana Pacer's cheerleaders were passing out *mardi gras* beads containing 1400 ppm of lead. Children were wearing this jewelry and some were mouthing it!

EPA's Complicity

While the focus has been on CPSC's shortcomings, the U.S. Environmental Protection Agency (EPA) has been complicit. EPA refused to use its authority under the Toxic Substances Control Act (TSCA) to support CPSC's effort. Only after a lawsuit from the Sierra Club and Improving Kids' Environment forced its hand did EPA act. The delay has cost us dearly.

If EPA had responded constructively to the Sierra Club's April 17, 2006, TSCA Section 21 petition[7], EPA could have had the quality control procedures of companies such as Mattel in its hand one year before the failings of those procedures became painfully apparent. EPA could have identified the problems and taken steps to fix them. Instead of putting CPSC in a reactive mode triaging complaints Congress gave EPA the statutory authority to take action. EPA refused to exercise that authority.

Instead of acting immediately, EPA chose to take advantage of a loophole in the law claiming that Sierra Club could not force a regulation on quality control procedures without EPA first issuing orders to the companies. EPA refused to issue the orders – even to those companies who already had recalls. Sierra Club maintained that a recall was ample evidence that a company's quality control procedures had failed. Unfortunately, many of these companies had additional recalls after EPA denied the Sierra Club's petition.

In denying the petition, EPA said it planned to work "in coordination with CPSC to understand the scope of the problem."[8] EPA claimed that a "holistic and proactive approach may be more effective and less resource intensive than the case-by-case approach provided for under section 6(b)."[9] Eighteen months and 72 recalls have passed and there is no tangible evidence that EPA has found that "holistic and proactive approach."

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[5] California Statutes 2006, Chapter 415, Article 10.1.1 Lead Containing Jewelry. Illinois Public Act 094-0879: The Lead Poisoning Prevention Act of 2006. Baltimore City, Maryland regulations at www.baltimorehealth.org/jewelry.html.

[6] See Attachment 5. "Results of Lead Content Screening of Children's Jewelry Indiana Black Expo, July 20-22, 2007" by Improving Kids' Environment.

[7] See Attachment 6. Sierra Club's, April 17, 2006 Section 21 Petition to EPA and CPSC

[8] EPA's July 20, 2006 Denial of Sierra Club's Section 21 Petition. See page 1.

[9] Id. See page 2.

As a result, parents must work through complicated websites and conflicting guidance as they make decisions on Holiday presents for their children. Retailers must resort to testing products on their shelves to restore consumer confidence. And CPSC is left to issue repeated recalls on a case-by-case basis.

Acting a year earlier would not necessarily have avoided the recalls. But it would have given EPA and CPSC the opportunity to proactively address the situation in a systematic method. This proactive approach would have reassured the public and saved hundreds of thousands of dollars in wasted resources, especially at the state and local level.

While CPSC might have been able to take action on its own, the failure of CPSC and EPA to work together and leverage EPA's more powerful information gathering authorities was a lost opportunity.

EPA's failure is not limited to consumer products. Congress mandated that EPA adopted rules regarding the renovation, repair and painting of housing and child-occupied facilities by 1996.[10] EPA issued a proposed rule on January 10, 2006 under pressure from a lawsuit by the Public Employees for Environmental Responsibility (PEER) and others.[11] It committed to finalizing the rule by January 2007 and is now hoping for March 2008.

Public confidence is going to take another hit if EPA finalizes this rule as proposed. In the proposed rule, EPA rejected the use of lead dust wipes to verify that contractors did not create lead hazards. Lead dust wipes had been repeatedly validated as the most reliable method to determine whether lead hazards were present or not. EPA's own rules relied on this method.[12]

EPA's proposed rule was virtually unenforceable. Contractors would have little documentation that they did or did not comply with the rules. Instead of empowering consumers with information and the means they needed to act, EPA proposed leaving consumers in the dark with generic pamphlets instead of actual information on the work that was done. Consumers who later tested their home would have to plead with an understaffed EPA Office of Enforcement and Compliance Assurance (OECA) to "recall" contractors to the home to clean up lead hazards left behind.

The situation would be a repeat of the children's products recalls of 2007 but instead of dealing with hundreds of importers, consumers would be left with hundreds of thousands of contractors.

[10] Toxic Substances Control Act, Section 402(c)(3).
[11] January 10, 2006 Federal Register. Page 1587. See www.epa.gov/lead/pubs/renovation.htm.
[12] 40 CFR Part 745, Subpart D. See www.epa.gov/fedrgstr/EPA-TOX/2001/January/Day-05/t84.pdf.

What Goes Around, Comes Around

In the Pollution Prevention Act of 1990, Congress declared "it to be the national policy of the United States that pollution should be prevented or reduced at the source whenever feasible; pollution that cannot be prevented should be recycled in an environmentally safe manner, whenever feasible; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner whenever feasible; and disposal or other release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner."[13]

This pollution prevention hierarchy makes clear that our top priority should be to keep lead out of products. Recycling is a second choice.

Congress' foresight was made starkly clear by research by Dr. Jeffrey Weidenhamer of Ashland University in Ohio[14] and an investigation by the Wall Street Journal.[15] They found that much of the lead in toy metal jewelry from China was apparently recycled electronic waste such as circuit boards from the West. Instead of recycling the lead from electronic waste, it appears that it may have been easier to remove the mixture of lead, copper and tin from the waste, melt it up, pour it into the jewelry mold to be shipped back to the United States for our children to use.

In the late 1990s, EPA had taken a leading role in working with electronics makers to phase lead out of their products. In June 2001, EPA published the "Electronics: A New Opportunity for Waste Prevention, Reuse, and Recycling."[16] Since 2001, EPA's focus on prevention appears to have shifted from a balanced approach that emphasizes prevention to a recycling focus. The industry may very well have continued the prevention focus to engineer out lead. The lead that is found in metal toy jewelry may also be a relic of circuit boards from long ago. But EPA appears to have lost its leadership role on the issue.

Under the Resource Conservation Recovery Act, EPA is responsible for the broader management of solid wastes. Yet it has been silent on the issue of the management and disposal of the recalled products. CPSC apparently requires companies with recalls to follow federal, state and federal law.[17] Many organizations, including the Sierra Club, are concerned that the lead-contaminated recalled product will be shipped overseas to a country with lower standards, resold in the U.S. on the second-hand market, or disposed of improperly.

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[13] Pollution Prevention Act of 1990, 40 USC 13101(b)

[14] Jeffrey D. Weidenhamer and Michael L. Clement. 2007. Widespread lead contamination of imported low-cost jewelry in the US. Chemosphere 67 961–965.

[15] Gordon Fairclough,Wall Street Journal, "Lead Toxins Take a Global Round Trip 'E-Waste' From Computers Discarded in West Turns Up In China's Exported Trinkets," July, 12, 2007, http://online.wsj.com/article/SB118420563548864306.html

[16] EPA 530-F-01-006. See www.epa.gov/osw/elec_fs.pdf

[17] In addition, there is no emphasis on using the federal pollution prevention hierarchy to require strict quality control programs to ensure that lead is kept out of future products manufactured or importer.

The Los Angeles Times investigated the issue.[18] It contacted many of the companies with recent recalls. Most refused to return the call or answer the queston. Mattel said "Mattel said it planned to recycle as many components of its returned toys as possible, including selling or reusing zinc and some of the resins used to make the toys."[19]

Once again, state and local elected officials stepped up when the federal government was silent. On August 16, 2007, Connecticut Attorney General Richard Blumenthal sent letters to Mattel's Chief Executive Officer and its Senior Counsel for Regulatory Affairs asking for a response to detailed questions regarding the disposition of the recalled products.[20] Sierra Club applauds the leadership of Attorney General Blumenthal.

Mattel's response was due September 16, 2007. As of October 4, Sierra Club understands that Mattel has not responded to the request.

Recommendations:

Regarding the EPA's Renovation, Repair and Painting Rule, Congress should:

- Direct EPA to finalize the rule by January 2008 or prepare a detailed explanation for its delay. January 2008 is two years after the date of its initial proposal. The status report should describe EPA's plans to finalize the rule and explain the delays in finalizing the rule.
- Direct EPA to prepare a report when the rule is finalized that explains:
    - How the rule will be enforced to achieve at least 75% compliance;
    - How the rule empowers citizens to:
        - Identify compliance problems that leave lead hazards in their residence; and
        - Force contractors to clean-up lead hazards contractors create without having to engage the federal government in the resolution of the problem;
    - How EPA will assess compliance with the rule and report results to Congress and the public on an ongoing basis.

Regarding lead in consumer products, Congress should revise the Toxic Substances Control Act to direct EPA to:

- Ban lead from children's products unless it can be affirmatively demonstrated that the expected use of the product will not expose a child to lead;
- Routinely issue Section 6(b) quality control orders to companies that have recalls to determine whether their quality control procedures are adequate to exclude toxics from children's products;
- Issue a Section 6(b)(2) rule establishing specific and effective quality control standards for all manufacturers and importers;
- Finalize the Section 8(d) rule as recommended by the Interagency Testing Committee before the end of November 2008;

[18] Abigail Goldman, Los Angeles Times, "Disposal a murky issue in recall of lead-tainted items; State law holds sway, but there's no uniform procedure in place." October 8, 2007.
[19] Id.
[20] See Attachment 9.

- Send a letter, in cooperation with the CPSC, to all importers and manufacturers of children's products:
    - Explaining the company's responsibilities to comply with the new Section 8(d) rule;
    - Reminding the company of its long-standing obligations under Section 8(e) to submit 8(e) notices of recalls;
    - Identifying the factories that have produced lead contaminated children's products and encouraging the companies to check all of their products for lead if they used the factories.

Finally Congress needs to:

- Adequately fund EPA and CPSC to address lead in children's products in particular and toxic chemicals in consumer products in general.
- Build institutional links between CPSC and EPA so that CPSC relies on EPA for its toxicological expertise and waste management expertise and does not use its limited funding to duplicate this expertise.
- State that the level of concern for lead in children is any measureable level of lead. The current level of concern of 10 micrograms of lead per deciliter of blood should be reclassified as the level for individual case management.

On behalf of the Sierra Club, Improving Kids' Environment and Concerned Clergy of Greater Indianapolis, I greatly appreciate this opportunity to describe the situation to the Senate Committee on Environment and Public Works and make recommendations to the Committee for tangible action to protect children.

Sincerely,



Thomas G. Neltner

Attachment 1

Background on Tom Neltner and Organizations

Tom Neltner is a chemical engineer with a Bachelors of Science from the University of Cincinnati. He is an attorney licensed to practice law in Indiana and Washington, DC. He is also a Certified Hazardous Materials Manager. His positions include:

- Co-chair of Sierra Club's National Toxics Committee since 2005
- Director of Training and Education for the National Center for Healthy Housing since 2005
- Executive Director and Founder of Improving Kids' Environment from 1999 to 2005
- Chair of the Environmental Committee for the Concerned Clergy of Greater Indianapolis from 2001 to 2005
- Adjunct Professor for Indiana University School of Public and Environmental Affairs from 1991 to 1994 and 2000 to 2004
- Assistant Commissioner for the Office of Pollution Prevention and Technical Assistance for the Indiana Department of Environmental Management from 1993 to 1999
- Vice-President for the Environmental Management Institute from 1990 to 1993
- Co-Founder and President of Indiana Recycling Coalition from 1990 to 1993
- Policy Analyst for the Indianapolis Center for Advanced Research from 1988 to 1990
- Engineer for Eli Lilly and Company from 1982 to 1988
- Coop Engineer for Dow Corning from 1979 to 1981

Sierra Club:
Tom Neltner is co-chair of the National Toxics Committee of the Sierra Club. Sierra Club is America's oldest, largest and most influential grassroots environmental organization. It has 1.3 million members. Inspired by nature, the Sierra Club works together to protect our communities and the planet. For more information, see www.sierraclub.org/lead.

Improving Kids' Environment:
Tom Neltner founded Improving Kids' Environment in 1999. He served as its executive director from 1999 to 2005. IKE is a non-profit, advocacy coalition based in Indianapolis dedicated to improving children's health through reductions in environmental threats to children. For more information, see www.ikecoalition.org.

Concerned Clergy of Greater Indianapolis:
Tom Neltner served as the chair of the Concerned Clergy's Environmental Committee from 2001 to 2005. The Concerned Clergy is a faith-based organization dedicated to promoting civil justice in Indianapolis. It was founded in the early 1960s.

Attachment 2

Timeline of Key Events Regarding Lead in Consumer Products and Lead-Based Paint During Previous 24 Months

Date	Event	CPSC Actions	EPA Actions
Nov. 2005	EPA's National Pollution Prevention and Toxics Advisory Committee (NPPTAC) submits formal recommendations to EPA regarding lead poisoning prevention from sources other than lead-based paint.		
Dec. 2005	PEER and others sue EPA to issue Renovation, Repair & Painting (RRP) rule		
Jan. 2006			Proposes Renovation, Repair & Painting Rule on 1/10/06
Feb. 2006	Child dies of lead poisoning from Reebok charm	1 recall / 0.03 million items	Holds RRP Public meetings
March 2006	CDC publishes analysis of child's death in 3/23/06 Morbidity & Mortality Weekly Report	5 recalls / 1.1 million items	Proposes Lead Paint Test Kit and Revised Consumer Booklet
April 2006	Sierra Club petitions EPA and CPSC under TSCA Section 21	1 recall / 0.06 million items	
May 2006		2 recalls / 0.7 million items	Dismisses part of Sierra Club's petition.
June 2006	Illinois prohibits lead in children's products with more than 600 ppm lead.		
July 2006			Denies remainder of Sierra Club petition
Aug. 2006		1 recalls / 0.3 million items	
Sept. 2006	Sierra Club and IKE sue EPA for denying petition.	1 recall / 0.03 million items	
Oct. 2006			
Nov. 2006	Association of Battery Recyclers intervenes in lawsuit.	3 recalls / 0.3 million items	
Dec. 2006	Baltimore bans lead in metal toy jewelry over 1200 ppm	6 recalls / 0.3 million recalls	
Jan. 2007	California Legislature enacts Proposition 65 settlement by the attorney general, Center for Env. Health and retailers regarding phase-out of lead in costume jewelry.	2 recalls / 0.1 million items Publishes ANPR on metal toy jewelry	

Attachment 2

Timeline of Key Events Regarding Lead in Consumer Products and Lead-Based Paint During Previous 24 Months

Date	Event	CPSC Actions	EPA Actions
Feb. 2007		5 recalls / 0.5 million items	
March 2007		5 recalls / 0.1 million items	Publishes two new RRP studies.
April 2007	Sierra Club, IKE, and Assoc. of Battery Recyclers settle lawsuit	2 recalls / 1.3 million items	• Reaches settlement on lead in consumer products lawsuit • Sends letter to CPSC • Sends letter on TSCA Section 8(e) to companies with recalls or settlements on lead.
May 2007	Federal Interagency Testing Committee publishes 60th Report recommending EPA to require reporting of all measureable lead results by importers of children's products excluding metal toy jewelry.	9 recalls / 0.8 million items	
June 2007		3 recalls / 1.5 million items	Modifies proposed rule to include child-occupied facilities.
July 2007	Sierra Club files notice of intent to sue 10 companies for 8(e) notices	2 recalls / 0.1 million items	Publishes notice of ITC report on 7/27/07
Aug. 2007	Sierra Club files notice of intent to sue Mattel	8 recalls / 1.6 million items	
Sept. 2007	• California prohibits sales of lead-tainted children's jewelry • House Subcommittee on Commerce, Trade, and Consumer Products holds Hearing • Baltimore bans lead in metal toy jewelry over 600 ppm.	10 recalls / 1.4 million items	Announces grant decisions on Rural Ed
Oct. 2007	Sierra Club, Env. Law Foundation and Center for Env. Health file Prop 65 notices with selected recall companies Senate Committee Hearing	16 recalls / 2.2 million items	Issue 8(d) Reporting rule for children's products?

Attachment 3

Sierra Club's Section 21 Petition to EPA and Subsequent Litigation

- On April 17, 2006, Sierra Club filed a petition under Section 21 of the Toxic Substances Control Act (TSCA).
- On May 26, 2006, EPA dismissed two requests in the petition.
- On July 19, 2006, EPA dismissed the remaining two requests in the petition.
- On September 14, 2006, Sierra Club and Improving Kids' Environment sued EPA challenging its denial of the petition.
- On November 29, 2006, the Association of Battery Recyclers intervened in lawsuit.
- On April 13, 2007, the parties signed a settlement to the lawsuit. See www.epa.gov/lead/pubs/toyjewelry.htm.
- On June 26, 2007, the court dismissed the case.

Outcome of Sierra Club and IKE's Lawsuit Against EPA Regarding Consumer Products

Sierra Club Request	EPA Decision	Settlement Outcome
Pursuant to TSCA Section 8(d),), (15 USC 2607(d)) EPA should require manufacturers, importers, and processors of lead and its salts that are reasonably likely to be incorporated into consumer products to provide EPA with lists and/or copies of ongoing and completed unpublished health and safety studies related to the six factors identified by CPSC as critical to determine the lead-safety of a product.	Denied on 7/19/06. EPA claimed that it would not gain significant new information.	The Interagency Test Committee stated that "EPA needs the following information to assess the extent and degree of exposure and potential hazard associated with these substances: • Studies that relate to the lead content of consumer products that are intended for use by children (includes studies showing any measurable lead content), and/or • Studies that assess children's exposure to lead from such products (including studies of bioavailability). • With regards to grade or purity, studies showing any measurable lead content in such products are of interest." EPA posted the proposal for public comment in July 27, 2007 *Federal Register*. EPA received one comment – from the Association of Battery Recycling – supporting the proposal as written. EPA should finalize the proposal in the Fall 2007 with reporting due in June 2008.

Outcome of Sierra Club and IKE's Lawsuit Against EPA Regarding Consumer Products

Sierra Club Request	EPA Decision	Settlement Outcome
Pursuant to TSCA Section 9, (15 USC 2608)formally report to CPSC that CPSC should undertake rulemaking to ban lead in toy jewelry and, if CPSC fails to act within the statutory timelines, take action under TSCA Section 6 on its own.	Denied on May 26, 2006 without considering merits of request determining it was not eligible under Section 21.	EPA agreed to send letter to CPSC encouraging CPSC to address quality control issues. EPA sent letter on April 30, 2007.
Pursuant to TSCA Section 5, (15 USC 2604) issue a significant new use restriction to require companies to notify EPA if they manufacture or import toy jewelry containing lead.	Denied on May 26, 2006 without considering merits of request determining it was not eligible under Section 21.	No action.
Pursuant to TSCA Section 6(b), (15 USC 2605(b)) require manufacturers, importers, and processors to submit their quality control procedures regarding lead and, if those procedures are inadequate, require upgrades to address problems.	Denied on July 19, 2007 citing burden of case-by-case method and lack of authority to require rulemaking without EPA issuing order.	EPA agreed to send letter to companies with recalls or settlements involving lead contamination regarding their obligations to submit TSCA Section 8(e) notices. EPA sent letters on April 30, 2007.

Attachment 4

Sierra Club's Actions Against Companies

Pursuant to the settlement, EPA sent letters to more than 100 companies on April 30, 2007 regarding their responsibilities pursuant to TSCA Section 8(e). The companies were those subject to the California Costume Jewelry Proposition 65 Settlement , CPSC Recalls, and various state recalls.

In June, Sierra Club learned that EPA has not received any TSCA 8(e) notices in response to the April 30, 2007 letter from EPA. Therefore, Sierra Club issued Notices of Intent to Sue eleven companies pursuant to Section 20 of TSCA for failure to comply with TSCA. The companies had multiple CPSC recalls. The following is the status of the Notices of Intent to Sue. Sierra Club is preparing lawsuits based on the responses.

Company	Date Mailed	Status as of 10/16/07
Mattel	8/4/2007	No Response
US Toy	7/24/2007	Phone discussion
Target	7/24/2007	10/1/07 Letter
Samara	7/24/2007	Apparently out of business
Dollar General	7/24/2007	Submitted 8(e) Notice per phone discussion
Oriental Trading	7/24/2007	Refused to comply per 9/24/07 letter
A&A Global	7/24/2007	Submitted 8(e) Notice per 8/14/07 Letter
Cardinal	7/24/2007	Submitted 8(e) Notice per 8/23/07 Letter
RC2	7/24/2007	Submitted 8(e) Notice per 9/21/07 Letter
Rhode Island Novelty	7/24/2007	Phone discussion
Atico	7/24/2007	Phone discussion

On October 17, Sierra Club joined with Environmental Law Foundation and Center for Environmental Health to file Notices of Violation pursuant to the California Safe Drinking Water and Toxic Enforcement Act (Proposition 65) against more than twelve importers and retailers for failure to properly label the lead content of their products.

Attachment 5

Results of Lead Content Screening of Children's Jewelry
Indiana Black Expo, July 20-22, 2007

Executive Summary – Improving Kids Environment (IKE) coordinated a booth to screen children's jewelry for lead content at the Indiana Black Expo. Thermo Scientific donated the use of two NITON XRF Analyzers and travel costs for an operator. Several hundred items were analyzed. Of the 396 metal jewelry items screened, 62% had a lead content above 600 ppm. Of the 85 plastic items tested, 33% had a lead content above 600 ppm. No separate analysis was performed on paint and coatings.

Methodology – Screening of lead content in jewelry was performed by Bill Radosevich, acting as a volunteer. Two Thermo Scientific NITON XRF Analyzers were used during the event – a NITON XLt 797 and a NITON XLp 300. Both test stand and free-standing analysis was performed in the booth. Rental costs for the NITON XRF Analyzers and travel costs for Mr. Radosevich were donated by Thermo Scientific. In accordance with Thermo Scientific policy, brand names are omitted from this report.

The instruments perform a self calibration check, in addition comparison checks against known standards (multi-element in PVC, lead in tin) were performed at the start and end of each screening session and at about 2 hour intervals.

Parents passing the booth were invited to have their children's or their own jewelry tested for lead content. Some participants received t-shirts with an IBE lead-safe message in exchange for participation.

Please note that the sample pool was not random for the following reasons: Duplication of items (i.e. both earrings), self-selection of jewelry (reluctance to hand Mr. Radosevich gold or diamonds), self-selection of volunteers, or variation in incentives (t-shirt availability).

Results – During the three day event, analysis was performed on 481 items.

	Total # analyzed	Items with lead content above 600 ppm	Percent > 600ppm
Metal	396	246	62%
Plastic	85	28	33%
Total	481	274	57%

A trend emerged during the screening event. Many of the items with the highest lead content were purchased at a nationwide accessory retailer chain focusing on the babysitter demographic.

One item of note was the *mardi gras* beads being handed out by a local sport team's cheerleaders. Results indicate that the dark blue beads contained up to 1,400 ppm lead, and other colors generally contained over 600 ppm lead. Despite being notified of the lead content, the team continued to distribute the items.

Respectfully submitted by Bill Radosevich, October 8, 2007.