



TESTIMONY OF  
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PRESIDENT AND CEO

THE TOY INDUSTRY ASSOCIATION (TIA)

SUBMITTED TO  
U.S. SENATE COMMITTEE ON APPROPRIATIONS  
SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT

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[www.toyassociation.org](http://www.toyassociation.org)

Good morning Mr. Chairman.

Thank you for the opportunity to come before the subcommittee this morning to discuss the safety of toys sold in the United States. As you all know, my name is Carter Keithley and I am the President of the Toy Industry Association (TIA). We represent the toy companies who provide 85% of all toys sold in the United States. As the voice of the industry, I would like to assure you we are, as we always have been, committed to the safety of our products and the children who use them.

The fact that we are here before you today is in our view a positive step in gathering those who are interested in working together to connect the recent lapses in our safety net that have been exposed over the past several weeks. I would like to make the point however; that our actions to bridge these lapses is not an indication of a failed system, but rather a demonstration of the integrity of our industry, the Congress and the Consumer Product Safety Commission to fulfill our shared commitment to ensure the safety of children.

At the outset, I would like to note the U.S. has among the strictest, most comprehensive toy safety systems in the world. U.S. toys have, for years, been ranked among the safest of all consumer products in the home. In fact, many nations around the world emulate the U.S. system and understand our toy safety standards to be the premier standards.

This is not to say there is no room for improvement. It is our mission to continuously search for new ways to further strengthen our safety systems and standards. The unfortunate events of the last several weeks have presented us with such an opportunity.

With input from Members of Congress, the U.S. Consumer Product Safety Commission (CPSC), American National Standards Institute (ANSI), industry leaders and the retailing community, TIA has led the development and introduction of the framework for a new testing requirement for toy manufacturers.

Before addressing the specifics of this new program, however, I would like to take the opportunity to share with the subcommittee how we arrived where we are today and the current situation of the toy industry. As we entered the summer months and up until as late as last week, toy recalls were in the headlines daily. These recent recalls clearly demonstrated our safety system needed to be strengthened. Although, as I stated, we have some of the best standards in the world we were left wanting in assuring the application of the standards. This lack of assuring application of standards left our companies, the industry and most importantly our children exposed. I am proud to say that our companies acted quickly and professionally in responding to this issue and embracing the need to take significant action to close the "assurance gap," if you will.

The immediate response prompted by the recalls has been a redoubling of efforts to ensure U.S. standards are applied to toys regardless of where they are made. Many if not all toy manufacturers have conducted tests and in many cases retested products bound for

the U.S. market. This effort has produced some of the recalls already announced and it may yet produce further recalls.

If I can take a step back, typically, recalls are not always a cause for alarm. At their best, consumer product recalls serve a proactive role in the product safety system to avoid risk and injury versus a reactive role after injury or damage has occurred. As you may know, many products pass federal safety standards, but because of unintended use or an unexpected potential hazard a product can end up being recalled. Recalls will always be with us; and therefore we shouldn't strive to eliminate them, but work to make sure this valuable safety tool is used in an appropriate, proactive manner.

As companies continue to test current product to clear violative product from their supply chains, TIA has, with the approval of our member companies, set out to provide a long term program to address the "assurance gap." To that end, I would like to share the framework for our new mandatory testing program for toys sold in the United States.

**THE NEW MANDATORY PROGRAM WILL:**

- 1) Require all toys manufactured for the U.S. market to be tested to U.S. standards;
- 2) Standardize procedures that will be used industry-wide to verify that products comply with U.S. safety standards;
- 3) Establish criteria to certify that testing laboratories are qualified to perform testing to U.S. standards using industry-wide protocols;

- 4) Require the development of testing protocols and certification criteria through the cooperation of all stakeholders and apply them consistently;
- 5) Necessitate that TIA work with Congress, CPSC and ANSI to implement the legislation, rules and protocols to ensure industry-wide adherence.

It is the toy industry's strong belief that with this new mandatory testing program our industry will be even better equipped to protect the integrity of our products and the safety of American children. We held our initial meeting with ANSI, toy manufacturers and the retailing community August 31<sup>st</sup>. Working groups have been formed and we hope to announce an initial proposal with testing and certification protocols within the next few months.

As mentioned in my description of the program we will need the help of the Consumer Product Safety Commission and Congress, specifically with you, Mr. Chairman and members of the Commerce Committee. In principle, your legislation, S. 1833 is the needed Congressional action to mandate this action across our industry. We, as with any legislation, look forward to further examining the details and working with you to enact the appropriate measures to implement this program.

In closing, Mr. Chairman, again I would like to thank you for this opportunity and I am happy to answer any questions from the Members of the committee. I look forward to a positive exchange of ideas.

