

ALA American Library Association

December 8, 2009

Dear Member of Congress:

Last August, Congress passed the Consumer Product Safety Improvement Act (CPSIA) in an attempt to protect children from exposure to lead and phthalate. This is a very laudable goal. However, the General Counsel of the Consumer Product Safety Commission has interpreted this law to include children's books and sent an opinion to the Association of American Publishers informing them that all books designed or intended for children under the age of 12 need to be tested. And she has made this opinion retroactive, covering all books currently on our shelves.

The publishing community has supplied the Commission with evidentiary support (can be viewed at www.rrd.com/cpsia) that books and other non-book, paper-based printed materials should not be subject to the lead, phthalate, and applicable ASTM standards that are referenced in CPSIA because they do not present any of the health or safety risks to children that the law intended to address. But the General Counsel rejected the Publisher's request to be excluded.

If the CPSIA is applied to books and paper-based materials, as indicated by the Commission's General Counsel, public, school and museum libraries will have to either remove all their books or ban all children under 12 from visiting. This cannot be what the Congress intended.

America's libraries are asking you to make your true intention clear to the Consumer Product Safety Commission and urge the General Counsel to release an opinion that reflects Congress' true intention of CPSIA. They should enforce this important legislation where the dangers are, not with books, which are not playthings, and should remain unregulated.

Sincerely,

Emily Sheketoff
Executive Director of the American Library Association's Washington Office