



November 24, 2014

Carter Keithley
President and CEO
Toy Industry Association
1115 Broadway, Suite 400
New York, NY 10010

Julie Menin
Commissioner

42 Broadway
8th Floor
New York, NY 10004

212-436-0215

nyc.gov/consumers

Dear Mr. Keithley:

As the holiday gift-buying season begins, I am writing to urge your association and its members to commit to manufacturing and selling toys that are safe for children. The Department of Consumer Affairs enforces laws to ensure that New York City's consumers and businesses benefit from a fair and vibrant marketplace. We recognize that working with industry groups can be an effective way to help ensure that businesses comply with the law and work to keep the general public safe. We look forward to your cooperation on this and hope that you will moderate the anti-regulatory stance you have taken in the past.

Children and adolescents are especially vulnerable to harmful substances in the products they use, because they are affected by smaller quantities of chemicals than adults, because their bodies are developing and because young children are prone to putting objects in their mouths. The federal government has regulated 14 chemicals found in toys. At least four states have passed regulations that go beyond the federal standard. But there are around 85,000 industrial chemicals in use and in many cases scant evidence about their effects on human beings.

That is why I urge your Association and its members to: voluntarily create a standard that goes well beyond federal law and ban toxic chemicals in all products made or sold by TIA members; pull all toys with suspected toxic chemicals off the shelf; cease your efforts to oppose legislation that would keep toxic toys off the market. As an example, you could look to one of the country's top retailers, buybuy Baby, which has issued a restricted substances list for all products it sells.

I would also like to remind you that under New York City's Public Safety law, it is illegal to sell any toy firearm that can reasonably be perceived to be an actual firearm, unless the exterior is predominantly brightly colored. Toy guns that resemble real firearms pose a substantial danger to the public safety as we all saw in Cleveland, OH this week, where reportedly, a 12-year-old boy carrying a toy gun was fatally shot by police.

We are hoping you will work with us to prevent illegal, dangerous or toxic products from being sold or offered for sale to consumers in our City, especially when those products are toys that children will use. We look forward to speaking with you to discuss how your organization can help us keep our children safe.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Menin".

Julie Menin, Commissioner