

E&C Members: Strengthen the lead reduction requirements in HR 4040

Letter from over 75 local and national public health organizations of December 5, 2007

Advocates for Environmental Human Rights
Alaska Community Action on Toxics
American Association on Intellectual and Developmental Disabilities (Formerly AAMR)
American Nurses Association-Maine
The Annie Appleseed Project
Armor Bearer Inc.
Blue Ridge Environmental Defense League
Breast Cancer Fund
Buckeye Environmental Network
Californians Against Waste
Campaign for America's Future
Center for Health, Environment and Justice
Childproofing Our Communities Campaign
Children's Environmental Health Network
Citizens' Environmental Coalition
Citizens for Environmental Justice
Citizens Leading for Environmental Action and Responsibility
Clean Air Clear Lake
Clean New York, A Project of Women's Voices for the Earth
Clean Water Action
Clean Water Action Alliance of Massachusetts
Community Environmental Monitoring
Connecticut Coalition for Environmental Justice
Deep South Center for Environmental Justice
EAGLE
Earth Resource Foundation
Ecology Center
Empire State Consumer Project
Environment America
Environment California
Environmental Defense
Environmental Health Fund
Environmental Working Group
Fluoride Action Network
For a Better Bronx
Friends and Advocates for Children, Teachers and Schools
Global Alliance for Incinerator Alternatives
Global Community Monitor
Glynn Environmental Coalition
Great Neck Breast Cancer Coalition
Green Party of Oklahoma
Greenpeace
Health Care Without Harm-Boston
Healthy Building Network
Healthy Children Organizing Project
Healthy Schools Network, Inc.
Institute for Agriculture and Trade Policy
Institute for Local Self-Reliance
INND (Institute of Neurotoxicology & Neurological Disorders)
International Labor Rights Forum

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Kentucky Environmental Foundation
Lead Poisoning Prevention Program, Environmental Quality Institute, UNC-Asheville
Learning Disabilities Association of America
Michigan Clean Water Action
Mid Coast Hospital
MOMS (Making Our Milk Safe)
The National Association for the Dually Diagnosed.
National Environmental Trust
New York State Advisory Council on Children's Environmental Health and Safety
New York State Nurses Association
Next Generation Choices Foundation/LESSCANCER.ORG
Oregon Center for Environmental Health
Oregon Physicians for Social Responsibility
Oregon Toxics Alliance
Parents for Nontoxic Alternatives
Public Citizen
Project for Environmental Health, Knowledge, & Action
Raging Grannies Action League
Rochesterians Against the Misuse of Pesticides
Science and Environmental Health Network
Sierra Club
Students & Scholars against Corporate Misbehavior
United Neighbors Concerned About General Electric & Dewey Loeffel Landfill
U.S. Public Interest Research Group
Wal-Mart Watch

December 5, 2007

Dear Representative,

We the undersigned organizations concerned about the acute and chronic hazards posed to children and others by lead and other heavy metal and chemical hazards, write to urge your support for strengthening the lead reduction requirements in House bill 4040, the Consumer Product Safety Act (Dingell-Barton-Rush-Stearns) under consideration in the Energy and Commerce Committee.

We commend the authors for drafting the lead provision, as an effort to establish a bright line safety standard to limit lead to trace levels in paint, children's jewelry and other children's products, rather than requiring "accessibility" or exposure testing to determine whether a product should be banned. However, we strongly urge you to strengthen the proposed lead provision, which while it lowers allowable lead levels, could be improved.

As proposed by the American Academy of Pediatrics, allowable lead levels should be lowered to the lowest level possible for all children's products, or 40 ppm. We therefore recommend that Congress establish a maximum lead level of 40 ppm in all children's products with the goal of achieving 0 ppm. This level, while not zero, more accurately reflects background levels and the science on the devastating impacts of lead exposure to children. It will also be easier to enforce a single science-based standard than multiple politically derived levels.

Legislation has been passed in 19 U.S. states restricting lead and three other heavy metals in packaging at levels stricter than what is being proposed for products that children play with and place in their mouths. These existing laws state that no intentional introduction of any amount of the four metals is allowed. The sum of the concentration levels of incidentally introduced lead, mercury, cadmium, and hexavalent chromium present in any package or packaging component shall not exceed 100ppm a few years after enactment (most of the state laws were passed in the early-mid 1990's).

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We support the American Academy of Pediatrics recommendation that a children's product be defined as one used by or with children under the age of 12 years in order to provide a standard that protects the most children possible throughout periods of rapid brain development.

Our organizations support steps to reduce exposure to toxicants in our environment that are known carcinogens, endocrine disruptors, or that can cause long-term developmental disorders. Our concerns include heavy metals and, for some organizations, emerging chemicals of concern such as phthalates and brominated fire retardants. Strengthening the bill's ban on lead except in trace levels is a very good start on this effort because lead has no business in any children's products. It can reduce intelligence and cause numerous other serious health problems. We would be happy to work with the committee on additional steps to eliminate preventable toxic chemical exposures to children and other consumers.

Thank you for your efforts to strengthen surveillance of toxic imports, to enhance the CPSC's ability to enforce product safety laws and to eliminate avoidable lead in consumer products. Also please oppose any weakening amendments to this legislation intended to protect children and other consumers from toxic and other product hazards.

Sincerely,

Michael Schade
PVC Campaign Coordinator
Center for Health, Environment
and Justice
New York, NY

Alex Fidis
Environment America
Washington, DC

Rick Hind
Legislative Director
Greenpeace Toxics Campaign
Washington, DC

Ed Mierzwinski, Consumer
Program Director
U.S. Public Interest Research
Group
Washington, DC

Margaret Weber
Coordinator of Corporate
Responsibility
Adrian Dominican Sisters
Adrian, MI

Nathalie Walker & Monique
Harden
Co-Directors & Attorneys
Advocates for Environmental
Human Rights
New Orleans, LA

Pamela Miller, Executive Director
Alaska Community Action on
Toxics
Anchorage, AK

Laura Abulafia, MHS
Director, Environmental Health
Initiative
American Association on
Intellectual and Developmental
Disabilities (Formerly AAMR)
Washington, DC

Bettie Kettell RN HEM
American Nurses Association-
Maine
Mid Coast Hospital
Brunswick, ME

Ann Fonfa
President
The Annie Appleseed Project
Delray Beach, FL

Denise Bogan, Executive Director
Armor Bearer Inc.
Jacksonville, FL

David Mickey
Zero Waste Coordinator
Blue Ridge Environmental
Defense League
Winston-Salem, NC

Janet Nudelman
Director of Program and Policy
Breast Cancer Fund
San Francisco, CA

Teresa Mills
Buckeye Environmental Network
Groce City, OH

Bryan Early
Plastic Waste Reduction Campaign
Coordinator
Californians Against Waste
Sacramento, CA

Eric Lotke
Campaign for America's Future
Washington, DC

Stacey Gonzalez
Campaign Coordinator
Childproofing Our Communities
Campaign
Falls Church, VA

Nsedu O. Witherspoon, MPH
Executive Director
Children's Environmental Health
Network
Washington, DC

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Rob Attardo
Program Associate/Responsible
Purchasing Network Extern
Citizens' Environmental Coalition
Albany, NY

Suzie Canales
Citizens For Environmental Justice
Corpus Christi, TX

Jackie Elliott
Citizens Leading for
Environmental Action and
Responsibility
Claremont, NH

Tamara Maschino
Clean Air Clear Lake
Clear Lake, TX

Kathy Curtis
Policy Director
Clean New York, A Project of
Women's Voices for the Earth
Albany, NY

Lynn Thorp
National Campaigns Coordinator
Clean Water Action
Washington, DC

Lee Ketelsen
Clean Water Action Alliance of
Massachusetts
Boston, MA

Shweta Narayan
Community Environmental
Monitoring
India

Mark A. Mitchell M.D., MPH
President
Connecticut Coalition for
Environmental Justice
Hartford, CT

Beverly Wright, Ph.D.
Executive Director
Deep South Center for
Environmental Justice
New Orleans, LA

Jan Conley
EAGLE
Duluth, MN

Stephanie Barger
Executive Director
Earth Resource Foundation

Tracey Easthope, MPH
Director, Environmental Health
Project
Ecology Center
Ann Arbor, MI

Judy Braiman
Empire State Consumer Project
Rochesterians Against the Misuse
of Pesticides
Rochester, NY

Rachel L. Gibson
Environmental Health Advocate &
Staff Attorney
Environment California
San Francisco, CA

John Balbus, MD, MPH
Chief Health Scientist
Environmental Defense
Washington, DC

Judith Robinson
Environmental Health Fund
Boston, MA

Sandra Schubert, JD, MA
Director of Government Affairs
Environmental Working Group
Washington, DC

Ellen and Paul Connett
Fluoride Action Network
Canton, NY

Marian Feinberg
For A Better Bronx
Bronx, NY

Jackie Lombardo
Friends and Advocates for
Children, Teachers and Schools
Earlysville, VA

Monica Wilson
Global Alliance for Incinerator
Alternatives
Berkeley, CA

Denny Larson
Global Community Monitor
San Francisco, CA
Bill Owens, President
Glynn Environmental Coalition
Brunswick, GA

Laura Weinberg
President
Great Neck Breast Cancer
Coalition
Great Neck, NY

Jean McMahon
Green Party of Oklahoma
Oklahoma City, OK

Bill Walsh
Healthy Building Network
Washington, DC

Bill Ravanesi
Health Care Without Harm-Boston
Boston, MA

Neil Gendel
Healthy Children Organizing
Project
San Francisco, CA

Claire L. Barnett
Executive Director
Healthy Schools Network, Inc.
Albany, NY

David Wallinga, MD
Food and Health Program
Institute for Agriculture and Trade
Policy
Minneapolis, MN

Brenda Platt, Co-Director
Institute for Local Self Reliance
Washington, DC

Steven G. Gilbert, PhD, DABT
INND (Institute of
Neurotoxicology & Neurological
Disorders)
Seattle, WA

Bama Athreya
Executive Director
International Labor Rights Forum
Washington, DC

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Elizabeth Crowe
Kentucky Environmental
Foundation
Berea, KY

Linda Block, Coordinator
Lead Poisoning Prevention
Program
Environmental Quality
Institute/UNC Asheville
Asheville, NC

Sheila Buckley, Executive
Director
Learning Disabilities Association
of America
Pittsburgh, PA

Laura Russello
Michigan Clean Water Action
Ann Arbor, MI

Mary Brune
MOMS (Making Our Milk Safe)
Alameda, CA

Dr. Robert J. Fletcher
Chief Executive Officer
The National Association for the
Dually Diagnosed
Kingston, NY

Andy Igrejas
Environmental Health Program
Director
National Environmental Trust
Washington, DC

Judith Mokhiber
New York State Advisory Council
on Children's Environmental
Health and Safety
Lewiston, NY

Tina Gerardi, MS, RN, CAE
Chief Executive Officer
New York State Nurses
Association
Latham, NY

Bill Couzens
President
Next Generation Choices
Foundation/LESSCANCER.ORG
Middleburg, VA

Cheyenne Chapman, JD, LLM
Chemicals Policy Program
Director
Oregon Center for Environmental
Health
Portland, OR

Sara Wright, MPH
Environmental Health Program
Director
Oregon Physicians for Social
Responsibility
Portland, OR

Lisa Arkin
Executive Director
Oregon Toxics Alliance
Eugene, OR

Yanna Lambrinidou PhD
Parents for Nontoxic Alternatives
Washington, DC

Michael Lemov
Senior Legislative Counsel
Public Citizen
Washington, DC

MaryAnn Sorensen Allacci, PhD
Project for Environmental Health,
Knowledge, & Action
Lakewood, NJ

Ruth Robertson
Raging Grannies Action League
San Francisco, CA

Ted Schettler MD, MPH
Science Director
Science and Environmental Health
Network
Ames, Iowa

Ed Hopkins
Director of the Environmental
Program Department
Sierra Club
Washington, DC

Jenny CHAN
Chief Coordinator
Students & Scholars against
Corporate Misbehavior
China

Lauri Puchall
Turk Kauffman Architecture
Bolinas, CA

Kelly Travers-Main, co-founder,
president
United Neighbors Concerned
About General Electric & Dewey
Loeffel Landfill

David Nassar
Wal-Mart Watch
Washington, DC