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Questions swirl in toy recall

2 senators demand answers from RC2

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U.S. Sens. Dick Durbin (D-Ill.) and Amy Klobuchar (D-Minn.) on Thursday demanded answers to lots of questions posed to the Oak Brook-based distributor of Thomas & Friends wooden railway toys and the Consumer Product Safety Commission related to the national re-



Sens. Dick Durbin and Amy Klobuchar wonder why lead-tainted Thomas train toys were not discovered much earlier.

call of 1.5 million of the lead-painted toys.

"Given the clarity of the stat-

■ U.S. bans some fish imports from China. SEC. 1, PAGE 3

ute, regulation and standards ... it is hard for me to understand how these products were allowed to enter into commerce," the senators said in a letter to Curtis Stoelting, RC2 Corp.'s chief executive. Federal statutes ban lead paint.

The senators asked the company to explain its policies and procedures for testing prior to putting the toys into U.S. stores.

"Who administers RC2's testing program? How frequently are tests conducted?" the letter said.

"When you think of the thousands of little kids with these toys chewing on them, and now we learn they are covered with lead paint, there are a lot of important questions," said Durbin, who added that he is preparing legislation to give the safety commission more power to investigate and initiate recalls.

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TOYS:

4 suits filed on behalf of purchasers

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For its part, the CPSC cited regulations that forbid it to comment beyond its recall notice without the company's permission.

Its June 13 order said the toys were being recalled because they were covered with lead paint. Lead is a toxic metal linked to brain damage and other problems in young children.

"How did these products manage to enter into commerce?" the letter asked RC2. "What mistakes did the manufacturer

make that allowed these toys to be marketed in the United States?"

The letters also cited Tribune analyses of recalls of items containing lead or covered in lead paint, as well as of recalls of all children's products. The newspaper's analysis of CPSC data since 2004 showed that 72 percent of recalls of children's products involved items made in China, and of 94 toy recalls during that same period, 78 were made in China.

RC2 has refused to answer questions posed by the Tribune about its testing practices and did not respond to a phone call Thursday. Previously, the company said it discovered the problem that led to the recall.

"The litany of products that are recalled grows by the day," Durbin said in an interview. "It would seem to me that an American importer has a special responsibility to make sure Chinese products are tested. We have to hold the Chinese to

higher standards when it comes to health and safety."

Durbin, who chairs the appropriations subcommittee with jurisdiction over the CPSC, held a field hearing in Chicago this month on toy safety, following a Tribune investigation of a botched recall of the popular Magnetix toys.

The letters also asked the CPSC to explain how investigators from the Illinois attorney general's office found some of RC2's metal train toys not subject to the recall packaged with toys that are subject to the recall.

And the senators asked the CPSC why metal trains were not included in the recall after the Tribune reported that a Kansas City public health nurse had found a lead-tainted metal train last year and filed a complaint with the agency.

Meanwhile, four separate lawsuits were filed in federal courts in Chicago, Indianapolis and New York against RC2 seek-

ing certification as class actions on behalf of all purchasers of the recalled toys.

The suits seek medical monitoring on behalf of all children who were exposed to the toys as well as full refunds in cash, not an exchange for a new toy.

One suit filed in federal court in Chicago on behalf a Downers Grove woman who purchased several of the toys for her children alleges that "the very toddlers who [RC2] expected to lick, suck, bite, chip and ingest the paint on the Thomas toys have now been exposed to poisonous lead that can cause serious long-term injury."

Another lawsuit filed in Chicago on behalf of a Redding, Conn., woman seeks a "comprehensive, court-supervised medical monitoring program" that will include funding for studies of the long-term effects on the children who were exposed to the toys.

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