



CAOC calls attention to toy hazards for holidays

Civil justice system stands ready when regulators fail to protect

SACRAMENTO (Dec. 11, 2012) — After more than a quarter of a million serious toy-related injuries were recorded in 2011, Consumer Attorneys of California (CAOC) and other trial lawyer associations are working to spread the word about potentially dangerous toys in time for the holiday season.

“What should be a joyful time for California families can turn tragic in an instant if manufacturers, distributors and retailers allow dangerous toys on the market,” said CAOC President Brian Kabateck. “We want to warn consumers about known hazards and help them be aware of potential hazards to look for when shopping for toys. Even with government safety regulations, some toys that present clear dangers still make it onto shelves and into consumers’ homes.”

The national Consumer Products Safety Commission (CPSC) has issued more than 850 toy recalls since 1974 for dangers including lead and magnets. Yet toy-related injuries have increased more than 50 percent over the past decade, and some toys known to be dangerous can still be found in homes. With the CPSC having insufficient resources to adequately inspect the flood of new products coming into the marketplace, dangerous products can remain on store shelves for years before consumers have any idea of the hazards they present. The civil justice system is sometimes the only means of holding negligent corporations accountable for dangerous toys.

CAOC and other state associations, along with the national trial lawyers group, the American Association for Justice, are working with Let America Know to share information with consumers. Among the facts included in the [December 2012 “You Should Know” newsletter](#):

- There were 13 toy-related deaths in 2011, with asphyxiation the most common cause, typically from choking on toy parts, small balls or balloons.
- If a toy or part of a toy can pass through a toilet paper tube (about 1.25 inches in diameter), it is inappropriate for a child under 3 or a child who still puts items in his or her mouth.
- There were 262,300 serious toy-related injuries in 2011, with non-motorized scooters causing the most injuries.

Among the tips for parents:

- ***Steer clear of soft plastic toys.*** Metal costume jewelry or toys that contain PVC are top suspects for unsafe levels of lead and phthalate coatings.

- ***Be especially wary of small magnets.*** A new generation of small, powerful magnets – often used in toys and adult novelties – can easily detach and be swallowed by small children. If more than one is swallowed, the magnets can attach inside the body, causing life-threatening complications.
- ***Don't forget the helmet.*** If you buy a bike, scooter or sports-related gift, helmets are a necessity, not an accessory.
- ***Children's jewelry is one of the most likely sources of lead or other toxic materials.*** Even after manufacturers stopped using lead, the danger was not over, as some then used the carcinogenic metal cadmium as a replacement.

Here are some other resources on toy safety:

- [**The 10 Most Dangerous Toys of All Time**](#), including the toy with a coating that turned into the date-rape drug when used as directed and a toy that included uranium.
- [**Trouble In Toyland 2012**](#) from the U.S. PIRG Education Fund, with warnings about lead, phthalates, magnets and choking hazards.
- [**2012 "10 Worst Toys" List**](#) from W.A.T.C.H. (World Against Toys Causing Harm)
- [**Good Housekeeping's Best Toy Awards 2012**](#)
- [**"Dr. Toy"'s 100 Best Toys 2012**](#)
- [**Toy-Related Deaths and Injuries 2011**](#) from the Consumer Products Safety Commission (PDF)
- [**Toy hazard recalls**](#) dating back to 1974 from the Consumer Products Safety Commission
- [**Playing with Safety: Dangerous Toys and the Role of American Civil Justice System**](#) from the American Association for Justice (PDF)

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

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