

# Child Injury Laws *Blog*

## Happy Holidays From The Child Injury Laws Blog. Are Your Child's Toys Safe?

Posted by [Jonathan Rosenfeld](#) on December 23, 2010

As a parent, there's no doubt that my son loves toys toys. The more -- the better!

However, some toys can pose serious and possibly lethal dangers to young children either because the toys contain dangerous substances and parts or because the toys are geared toward an older age group.

As Christmas nears, it is important to review toy safety in order to ensure that the holidays are fun and safe.

The U.S. Consumer Product Safety Commission ([CPSC](#)) ensures the safety of consumer products including toys. There have been over [850](#) toy recalls since 1974. (See the CPSC's "[Toy Hazard Recalls](#).")

However, the number of toy-related injuries is increasing (54% increase over the last decade). This is in part because the CPSC lacks the resources to keep up with the plethora of new products entering the market.

In 2008, over [235,000](#) toy-related injuries were treated and at least 19 children died. Most of these injuries were caused by choking hazards (small balls and balloons) and injuries from riding toys (scooters, etc).

Toys are more [sophisticated](#) than they used to be, and with these improvements come new risks that require more oversight. In addition, an increasingly large percentage of toys sold in the United States

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are imported from [foreign](#) markets. The Child Safety Protection Act ([CSPA](#)) requires that all products manufactured in or imported into the United States on or after January 1, 1995 must comply with the CSPA.

The [Act](#) also designates that toys with small balls (diameter of 1.75 inches or less) or balloons are banned for use by children under three. For toys intended for children aged three or older, the toys must contain a choking hazard warning and a notice that the toy is not for children under three years of age.

Toys have tested positive for toxins and carcinogens including asbestos, lead, and cadmium. Lead is a dangerous toxin and children are more susceptible to [lead poisoning](#) than adults. The American Academy of Pediatrics recommends a lead maximum of 40 parts per million.

Children's jewelry is one large source of children's toys that contains unsafe levels of lead. Cadmium is another dangerous substance that has been found in children's jewelry. Much of this contaminated jewelry originates in China, where goods are often made with lower quality materials. [Magnets](#) are another serious danger.

Some toys contain small, strong magnets that can be easily swallowed. If a child swallows more than one magnet, they can attract to each other through the walls of the intestine resulting in blocked, twisted, or pinched intestines.

There can be significant delays between when CPSC receives reports of toy-related injuries and when the responsible toy companies recall the toys. In the meantime, more children can suffer senseless injury. Therefore, it is important to pay attention to toy recalls and take caution when buying toys for children.

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The Consumer Product Safety Commission has some [tips](#) on toy safety:

- Consider the child's age, skill level, and interests when choosing toys
- Read the labels for age recommendations and hazards
- Look for high quality design and construction
- Ensure that directions/instructions are clear
- Immediately throw away all plastic wrappings and containers
- Check toys for broken parts and dangers such as sharp edges and small parts
- Store toys safely out of the way

As a parent, your child's safety is your number one concern. Therefore, it is important to be aware of the toys that your children are playing with and have access to in order to ensure that the toys are safe.

The CPSC's warnings and age guidelines are only guidelines and it is important to use your judgment. This is especially important because of the delay between toy-related injuries and toy recalls.

Wishing everyone a fun and safe holiday.

*Thanks to Heather Kiel, J.D. for her assistance with this Child Injury Laws Blog entry.*