



Posted On: **December 17, 2010** by [Patrick A. Malone](#)

CPSC "recalls" its recall of lead-laced drinking glasses

The Consumer Product Safety Commission has reversed an earlier decision and now says lead-laced drinking glasses with images of superheroes and characters from the Wizard of Oz are intended for adults, not children.

Previously, the CPSC had said the glasses were children's products and therefore had to meet strict federal lead limits. Independent lab testing by the Associated Press had determined that the amount of lead in the colored decorations was as much as 1,000

Patrick A. Malone
Patrick Malone & Associates, P.C.
1331 H Street N.W.
Suite 902
Washington, DC 20005

pmalone@patrickmalonelaw.com
www.patrickmalonelaw.com
202-742-1500
202-742-1515 (fax)

times the federal maximum for children's products. There are, however, no limits on lead content for adult drinking glasses.

The main danger of lead ingestion is to the developing brains of small children.

According to agency spokesman Scott Wolfson, "a premature statement was made regarding two sets of glasses . . . that has now been determined to be inaccurate." Ironically, it was Wolfson himself who had announced that the glasses were children's products and that CPSC would launch an investigation into their lead content. After Wolfson's initial statement, the company that imported the glasses from China announced it was pulling them from the market and would recall those already sold.

Wolfson now says that CPSC staff weren't in possession of the glasses when they were declared children's products. "After thoughtful analysis by child behavior experts at CPSC, it has been determined that the glasses are not children's products [because] the size, weight, packaging and price of the glasses sampled by CPSC are consistent with glasses more commonly used for consumption of adult beverages."

Jim Therrell, a professor at Central Michigan University who wrote the guidelines used by CPSC to determine what items children of different ages use, disagrees. "'Kids would choose this glass over a plain glass. If you consider that they are all movie based, they're all fantasy based, the fantasies would probably range in appeal to ages 4 to 5 at the low end up through 11, 12.'"

Patrick A. Malone
Patrick Malone & Associates, P.C.
1331 H Street N.W.
Suite 902
Washington, DC 20005

pmalone@patrickmalonelaw.com
www.patrickmalonelaw.com
202-742-1500
202-742-1515 (fax)

Under federal law, an item is a "children's product" if it is "primarily intended" for those 12 and under.

Source: [Bloomberg BusinessWeek](#)

Families interested in learning more about our firm's legal services, including legal representation for children who have suffered serious injuries in Washington, D.C., Maryland and Virginia due to medical malpractice, defective products, birth-related trauma or other injuries, may ask questions or send us information about a particular case by phone or email. There is no charge for contacting us regarding your inquiry. An attorney will respond within 24 hours.

All contents copyrighted 2010 [Patrick Malone & Associates](#) except where copyright held by others. Reproduction in any form prohibited except where expressly granted.

Patrick A. Malone
Patrick Malone & Associates, P.C.
1331 H Street N.W.
Suite 902
Washington, DC 20005

pmalone@patrickmalonelaw.com
www.patrickmalonelaw.com
202-742-1500
202-742-1515 (fax)