



| TROUBLE IN TOYLAND 2022

Investigation shows dangerous recalled toys are easy to buy; meanwhile parents need to do more to check toys and adhere to warning labels

U.S. PIRG
Education Fund

TROUBLE IN TOYLAND

37th Annual Toy Safety Report

Investigation shows dangerous recalled toys are easy to buy; plus what parents need to do with all toys and the ongoing problem with counterfeits



WRITTEN BY:

TERESA MURRAY

U.S. PIRG EDUCATION FUND

NOVEMBER 2022

I ACKNOWLEDGMENTS

U.S. PIRG Education Fund thanks our donors for supporting our work on consumer protection and public health issues and for making this report possible.

The author wishes to thank the following for their insights and suggestions:

- Dev Gowda, assistant director, Kids in Danger, Chicago.
- Nancy Cowles, executive director, Kids in Danger, Chicago.
- Joan Lawrence, senior vice president of standards and regulatory affairs, and Kristin Goldman, senior advisor, strategic communications, The Toy Association, New York.
- Dr. Jerri Rose, associate division chief, pediatric emergency medicine, UH Rainbow Babies & Children's Hospital, Cleveland.
- Consumer Product Safety Commission: The offices of Chair Alex Hoehn-Saric and Commissioner Richard Trumka.

Thanks also to R.J. Cross, New Economy Advocate; Matt Casale, PIRG Environment Campaigns Director; and Elizabeth Ridlington, Frontier Group Associate Director and Senior Policy Analyst, for editorial support.

The author bears responsibility for any factual errors. Policy recommendations are those of U.S. PIRG Education Fund. The views expressed in this report are those of the author and do not necessarily reflect the views of our funders or those who provided review.

2022 U.S. PIRG Education Fund. Some Rights Reserved. This work is licensed under the Creative Commons Attribution-ShareAlike 4.0 International License. To view a copy of this license, visit <https://creativecommons.org/licenses/by-sa/4.0/> or send a letter to Creative Commons, PO Box 1866, Mountain View, CA 94042, USA.

With public debate around important issues often dominated by special interests pursuing their own narrow agendas, U.S. PIRG Education Fund offers an independent voice that works on behalf of the public interest. U.S. PIRG Education Fund, a 501(c)3 organization, works to protect consumers and promote good government. We investigate problems, craft solutions, educate the public and offer meaningful opportunities for civic participation. For more information about U.S. PIRG Education Fund or for additional copies of this report, please visit www.uspirgedfund.org.

Design: Teresa Murray

Cover Image: Photo by Sandy Millar on Unsplash

| CONTENTS

EXECUTIVE SUMMARY	1
TOYS ARE SAFE UNTIL THEY'RE NOT	3
THE RECALLED TOYS WE BOUGHT	6
TOY RECALLS HAVE DECLINED	7
10 OF THIS YEAR'S RECALLS	9
THE ROLE OF PARENTS	12
COUNTERFEITS REMAIN A MENACE	14
THE NEED TO EDUCATE PARENTS ABOUT COUNTERFEITS	17
NEW LAW ON BUTTON BATTERIES WILL SAVE LIVES	18
FINALLY -- NEW RULES FOR HIGH-POWERED MAGNETS	19
TOYS WITH MICROPHONES, CAMERAS AND THE ABILITY TO GATHER DATA	21
ONGOING THREATS: BALLOONS, NOISY TOYS, PLASTIC FILM AND MORE	23
CONCLUSION AND RECOMMENDATIONS	24
TIPS FOR PARENTS AND GIFT-GIVERS	25
METHODOLOGY	28
APPENDIX	29
Letter from eBay warning that we bought a recalled toy	29
Toy-related injuries treated in ER's, 2013 to 2020	30
Toy Association survey of parent attitudes	31

| EXECUTIVE SUMMARY

Last month, Cheryl Robinson bought a small squeezable toy at a discount store near her home west of Columbus, Ohio. As soon as she took it out of the package, she was overwhelmed by a chemical smell. “I thought, ‘What in the world is that smell?’”

She said the smell was a cross between kerosene and paint. “It was so bad, my nose was burning,” she said.

Robinson uses these toys to help with her arthritis; she’s bought them before. She’s grateful she didn’t buy it as a gift for one of her great-grandchildren. For now, she’s storing the toy inside two Ziploc bags, while she waits to hear from the company or the store about what could be wrong with the toy.

Robinson may have alertly headed off something that could have made one of her great-grandchildren sick.

About 200,000 children go to an emergency room each year because of toy-related injuries or illnesses, [according to the Consumer Product Safety Commission \(CPSC\)](#). That number has been declining slightly over the last decade, but clearly, that number of injuries is unacceptable and is a call to action. This statistic doesn’t even count injuries that aren’t serious enough to warrant a trip to the emergency room.

For the 37th edition of Trouble in Toyland, we’re going to focus on three main areas of concern:

- Recalled toys that can still be purchased – brand new – days, weeks, months or years after they were deemed dangerous. During October, U.S. PIRG Education Fund

purchased and received more than 30 recalled toys from U.S.-based online sellers, including Facebook Marketplace and eBay. It is illegal to sell recalled products of any kind.

- The role of parents and caregivers in keeping children safe because many injuries involve toys that haven’t been recalled and aren’t necessarily dangerous if played with as intended.
- Counterfeit toys that continue to infiltrate retailers’ shelves and online platforms, with many coming in from overseas. Counterfeit toys don’t necessarily meet mandatory U.S. safety standards.

In addition, we highlight ongoing hazards, particularly magnets and balloons, and tips for parents and gift givers. And we look at the emerging threat of toys with technology capable of invading our children’s privacy.

There is a bit of disagreement from time to time about the definition of a toy. The [Consumer Product Safety Improvement Act \(CPSIA\)](#), which was signed into law in 2008 by President George W. Bush, says toys are considered to be “children’s products” if they are designed for or intended by the manufacturer for play [by a child 12 years of age or younger](#). The CPSC [tracks overall injuries and deaths](#) involving people of all ages, and breakdowns for 14 years and younger, 12 years and younger and 4 years and younger.

All toys sold in the United States (and intended for use by children 12 years or younger) [must meet U.S. safety standards](#). And, by all indications, toys overall are safer today than in years past. Injuries and recalls

are down, from [251,700](#) toy-related injuries in 2010 to [198,000](#) toy-related injuries in 2020.

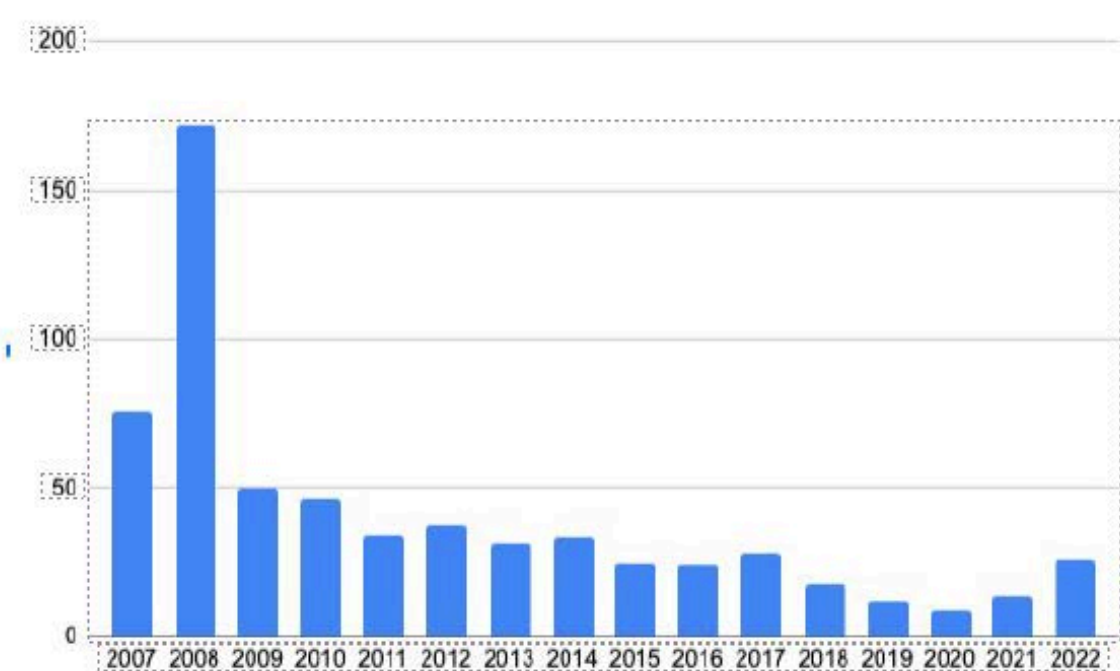
Toy recalls used to hit 50-plus a year more than a dozen years ago. We actually had [172 toy recalls in 2008](#). For the last seven years, they've ranged from [nine to 28 per year](#). This year, recalls could top 30 for the first time since 2014.

Injuries, illnesses or other harm occurs when:

- Toys don't meet standards, such as if they have parts that can easily be removed or fall off and be ingested.
- Children get access to a toy not meant for a child their age, such as a small bouncy ball or building blocks.
- Children use a toy in a way that wasn't intended.
- Counterfeit toys are purchased, sometimes by shoppers who actually know they're knockoffs.
- Toys violate our children's privacy.

Everyone – retailers, toy manufacturers, regulators, lawmakers, consumer advocates and families – needs to do more to protect children.

TOY RECALLS 2007 THROUGH OCT. 2022



SOURCE: CPSC

I TOYS ARE SAFE UNTIL THEY'RE NOT

All toys sold in the United States must meet U.S. safety standards. This must be documented with testing by the manufacturer. “All toys intended for use by children 12 years of age and under must be third-party tested and be certified in a [Children’s Product Certificate](#) as compliant to the federal toy safety standard enacted by Congress,” [the CPSC says](#), “and to other applicable requirements as well.

The standards differ for different age groups, with a major focus on toys that are unsafe for children less than 3 years old because they contain small parts and pose a choking risk. Children age 4 and younger consistently make up about half of all injuries to children 14 and younger that require emergency room care. The overall standards are aimed at protecting children from toys that could cause choking, poisoning, cuts, burns, bruises, broken bones or internal injuries.

Toys often are recalled because a piece can become detached or break easily and pose a choking hazard. Others can break and create a sharp object that could cut a child. Still others contain toxics such as lead or phthalates.

When the CPSC and a toy manufacturer announce a recall, that means the toy is supposed to be removed from store shelves and online marketplaces immediately. Consumers are instructed to take the toy away from children and contact the company for a refund or remedy. Recalls are issued when a dangerous defect has been discovered, sometimes after an injury has already occurred.

Recalled toys aren’t supposed to be available for sale. “Federal law prohibits any person from selling products subject to a Commission ordered recall or a voluntary recall undertaken in consultation with the CPSC,” [according to the CPSC](#). In addition, it says, “It is illegal to resell or attempt to resell a recalled consumer product.” This applies to all recalled products, not just toys.

Just three months ago, for example, [the CPSC said The TJX Companies Inc.](#) agreed to pay a \$13 million [civil penalty](#) “for selling, offering for sale, and distributing previously recalled consumer products.” The products included recalled [Fisher-Price Rock ‘n Play Sleepers](#) and [Kids II Rocking Sleepers](#), both of which have been linked to babies’ deaths by suffocation.

Despite the law, recalled toys are sometimes sold on primary or secondary markets.

In fact, during October, U.S. PIRG Education Fund purchased and received 11 different types of recalled toys from U.S.-based online sellers, including Facebook Marketplace and eBay, as well as several online toy shops. The toys included stuffed animals, action figures, activity balls for infants, musical toys, bath toys and a toddler’s riding toy. We purchased multiples of some toys, for a total of more than 30 recalled toys. The vast majority were new in the box or new with tags.

In one case, we were sent an email by eBay on Oct. 13 *after we’d received the toy* that the item had been recalled and we shouldn’t use it. We’d placed the order one week before. With two other eBay purchases, we received emails on Nov. 8 that the items had

been recalled. We'd already received those items as well. With four other sellers, involving two different toys, we completed a purchase and our credit card was charged with a pending sale, then the transaction was canceled by the company for an undisclosed reason before the item was shipped, and the transaction was reversed.

None of the other sellers flagged, stopped or sent a warning about any of our other purchases of recalled toys.

Among 26 listings of recalled toys from Jan. 1 through Oct. 31, we tried to buy 16 of them by searching online. We successfully bought eight, sometimes in multiples. (We didn't try to buy huge toys that would be expensive to ship or when few versions of a toy were recalled.)

For some toys, we combed the internet and found only one item that we could buy. For others, we found several. And for one toy recalled in June, we found dozens for sale. We bought and received 13 of them.

The reasons the toys we purchased had been recalled ranged from choking hazards to laceration risk to potential poisoning.

How were we able to easily buy toys that aren't allowed to be sold?

"We are aware of the growing challenges with these kinds of ecommerce sites," the CPSC told U.S. PIRG Education Fund. In the past year, the CPSC expanded its eCommerce, Surveillance, Analysis, Field, and Enforcement (eSAFE) Team and made more than 54,000 internet site takedown requests. The expansion helped the CPSC take "appropriate enforcement actions to address hazardous products on eCommerce platforms."

"The high number of recalled products," Dev Gowda, assistant director of Kids In Danger, told U.S. PIRG Education Fund, "not only shows that the CPSC is actively looking for unsafe products, but also that there are more dangerous products available for sale – including children's products recalled for lead -- a toxic substance banned since the 1970s.

"It's against the law to sell recalled products," Gowda added. "Consumers should alert the retailer or marketplace and the CPSC if they find a recalled product for sale."

TOYS CAN BE RECALLED BECAUSE OF VARIOUS RISKS:

**Choking/small parts
Toxics
Flammable
Laceration
Strangulation
Entrapment
Fall**

In [some cases in years past](#), merchants would improperly dispose of recalled toys by selling them to dollar stores, liquidation firms and thrift shops.

Still, it's a big problem on a variety of sites. With one of the nation's largest platforms, Facebook Marketplace, [CPSC Chairman Alex Hoehn-Saric in July sent a letter](#) to Facebook/Meta CEO Mark Zuckerberg, calling on the company to do more to

monitor and prevent the dangerous items from ever being for sale. “This would save lives and prevent needless injuries,” Hoehn-Saric wrote.

The letter noted that the number of banned and recalled products offered for sale on Facebook Marketplace, as identified by the CPSC, has increased significantly over the past several years.

“While Facebook is just one player in the online consumer product resale market,” Hoehn-Saric wrote, “it makes up a growing proportion of CPSC’s take down requests.” In fiscal year 2020, [about half of CPSC’s takedown requests](#) were made to Facebook Marketplace. To date in FY22, that jumped to about 75 percent.

U.S. PIRG Education Fund asked Facebook Marketplace/Meta about our ability to buy five recalled toys from its marketplace in October.

“We have over 40,000 people across Meta working on safety and security, which includes teams proactively enforcing our commerce policies that prohibit the sale of recalled goods,” a Meta spokeswoman said.

“Like other platforms where people can buy and sell goods, there are instances of people knowingly or unknowingly selling recalled goods on Marketplace,” she said. “We take this issue seriously and when we find listings that violate our rules, we remove them.”

We also reached out to eBay's media office about our purchase of recalled toys on its site. We bought 16 recalled toys through eBay. We didn't get a reply.

“At the end of the day,” the CPSC told U.S. PIRG Education Fund, “we are calling on Facebook and other platforms to be more vigilant in monitoring products offered for sale on their sites and removing them quickly. CPSC will continue its surveillance of these platforms, and is committed to leveraging our full authority to enforce the law and ensure that hazardous products don’t end up back in consumers’ homes.”

It’s notable that with every toy we shopped for, we did keyword searches on Amazon and were not able to find any of the recalled items for sale.

JUST BECAUSE A TOY IS FOR SALE DOESN'T MEAN IT'S SAFE

- **It could have a defect and may be recalled in the future.**
- **It could be counterfeit.**
- **It could be inappropriate for all children in your home.**

TRACKING DOWN RECALLED TOYS

**To check whether toys you're considering buying,
or toys already in your home have been recalled,
go to [cpsc.gov/recalls](https://www.cpsc.gov/recalls)**

THE RECALLED TOYS WE BOUGHT ONLINE

1. [Army Action Figure Playsets](#) by Blue Panda. About 4,500 recalled Oct. 20, 2022, for excessive levels of toxic phthalates and lead. Order confirmed Oct. 29, 2022 through Facebook Marketplace.

2. [Activity Loops](#) by The Manhattan Toy Co. About 2,700 recalled June 9, 2022, because the tubes can detach and release plastic pieces, posing a small parts choking hazard. Ordered two Oct. 15, 2022, through Lumilane and one Oct. 28, 2022, from Bird in Hand.

3. [6" Aflac Plush Promotional Ducks](#) by Communicorp. About 600,000 recalled June 2, 2022, because components contain excessive levels of toxic phthalates. These include these characters: Accident Duck, Business Duck, Fishing Duck, Police Duck, PGA Duck, One Day Pay Duck, Heisman Duck and Lifeguard Duck. A component of the fishing duck also contains excessive levels of lead. Ordered 13 of these from Oct. 7, 2022, through Oct. 27, 2022, through eBay: Seven lifeguards, three fishing, two Heisman and one business.

4. [Blue's Clues Foot to Floor Ride-on Toys](#) by Huffy Corp. About 28,550 recalled Aug. 25, 2022, because the ride-on toy can tip forward when a young child is riding it, posing fall and injury hazards. Ordered Oct. 8, 2022, through Facebook Marketplace.

5. [DigitDots 3mm and 5mm Magnetic Balls by HD Premier](#). About 119,620 recalled March 17, 2022, because if two or more magnets are swallowed, they can connect and cause injuries to the digestive system. [The company recalled](#) all of its 3mm and 5mm magnets. Ordered Oct. 29, 2022, through Lima Offers.

6. [Disney Baby Winnie the Pooh Rattle Sets](#) from Walgreens. About 54,000 recalled July

14, 2021, because the feet on the Winnie the Pooh rattle can detach, posing a choking hazard to young children. One ordered Oct. 7, 2022, through Facebook Marketplace and two ordered Oct. 28 through Mercari.

7. [Early Learning Centre Little Senses Lights & Sounds Shape Sorter Toys](#) by Addo Play. About 9,300 recalled Oct. 13, 2022, because the red cube can come apart and release a small white ball, posing a choking hazard. Ordered Oct. 14, 2022, through Facebook Marketplace.

8. [Forky 11" Plush Toys](#) from Disney Pixar's Toy Story. About 80,000 recalled July 8, 2019, because the "googly" plastic eyes on the toy can detach, posing a choking hazard to young children. Ordered Oct. 13, 2022, through Mercari.

9. [Kidoozie Play Tents and Playhouses](#) by Epoch Everlasting Play. About 251,600 recalled July 28, 2022, because the fabric playhouses and play tents fail to meet industry flammability standards. One ordered Oct. 28, 2022, through Little Dickens Givens Books and one ordered Oct. 30, 2022, through eBay.

10. [Kid O Hudson® Glow Rattles](#) by PlayMonster. About 8,900 recalled March 31, 2022, because the rattle's legs can break off, posing a choking hazard. One ordered Oct. 27, 2022, through Facebook Marketplace and three ordered Oct. 28, 2022, through Walker Shop.

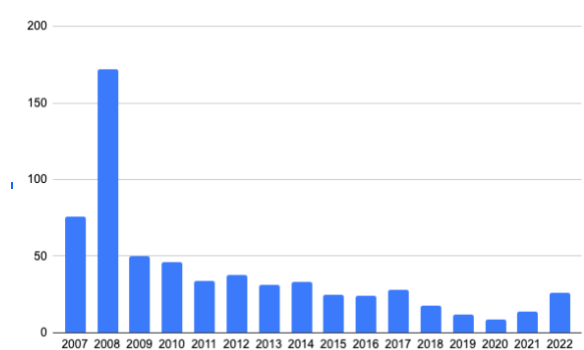
11. [Ubbi Connecting Bath Toys](#) by Pearhead. About 6,200 recalled Aug. 29, 2019, because the toys can break and create a sharp point, posing laceration and choking hazards. Two ordered Oct. 11, 2022, through eBay.

TOY RECALLS HAVE DECLINED

Toys are recalled either after defects or injuries have been reported to the company or the CPSC or if the CPSC finds a problem through random testing. Recalls are almost always voluntary, in cooperation with the CPSC.

Toy recalls have declined significantly in the last 15 years. In 2007, there were [76 recalls](#). That jumped to [172](#) recalls in 2008. Recalls declined gradually after that, to a recent low of only nine recalls in [2020](#). Last year, there were 14. So far this year, through Oct. 31, there have been 26.

TOY RECALLS 2007 TO 2022



SOURCE: CPSC

Why have recalls fallen so much? Are toys safer or are they just not being recalled as often? And does the fact that toy recalls have nearly doubled through October of this year, with two months to go, mean the CPSC is cracking down more, or are more problems being detected or reported by consumers?

The expectations for toys are high. “All children’s toys manufactured or imported on or after February 28, 2018, must be tested

and certified to ASTM F963-17 (ASTM International was formerly known as American Society for Testing and Materials,” [the CPSC says](#).

Further, “all toys intended for use by children 12 years of age and under must be third-party tested and be certified in a [Children’s Product Certificate](#) as compliant to the federal toy safety standard enacted by Congress,” [the CPSC says](#). The [laboratory](#) must be one accepted by the CPSC.

The standards vary depending on the type of toy and the age group it’s marketed to. Toys that make noise, for example, must be tested to make sure sound levels [don’t exceed noise standards](#) for toys. Toys marketed for children younger than 3 must pass [standards for small parts](#) because of the propensity of babies and toddlers putting things in their mouths and possibly swallowing them.

And toys can’t contain excessive levels of toxics such as [certain phthalates](#) or [lead](#).

Various types and levels of phthalates were banned from toys in the United States in 2008; the rules were [updated in 2018](#). Phthalates can make the plastic in toys soft and flexible. Research shows reasons to be concerned about a link between various types of phthalates and [cancer](#), damage to [the brain and nervous system](#), [learning and behavior problems](#) and [asthma](#). Banned phthalates in toys are particularly concerning because they’re [toxic if ingested](#), and young children tend to put things in their mouths.

While phthalates and other toxics are a common problem in counterfeits, they’re

also sometimes an issue in genuine toys branded by well known, U.S. companies. Two of this year's big toy recalls, involving [a stuffed animal](#) and [plastic action figures](#), occurred because the toys contain phthalates, which can be discovered only through lab testing.

“The burden of detecting toxic chemicals in toys and other products should not fall on parents, caregivers or any consumer,” said Richard Trumka, who helps regulate product safety as one of five commissioners on the CPSC, told U.S. PIRG Education Fund. “These chemicals are invisible, and they’ll hurt you and your family without you even knowing.

“Companies should not sell products that contain phthalates, lead, PFAS or other toxic chemicals,” he added. “It’s on them to do the right thing, and if they don’t, the burden falls on CPSC to stop them from poisoning children. CPSC just changed its approach to regulating chronic hazards to make this easier.”

The testing and certification requirements prompt this question: Why do toys that don’t meet standards become available to

purchase? One answer: Some of the hazards may not be detectable, such as parts that can break off. Another possibility: The sample of items that are tested may comply but others that were manufactured don’t. Or, manufacturers don’t get proper testing at all.

The CPSC says it does not do “pre-market approval, but all children’s products and toys are required to be tested by an accredited CPSC-accepted third-party laboratory.” The company must have a Children’s Product Certificate (CPC) that demonstrates the product meets the applicable safety standards.

The CPSC also does domestic “market surveillance” and works with CBP at the ports to investigate and sometimes test suspicious products.

While families can’t inexpensively do their own testing for toxics, they can take some steps to protect children. For example, parents should be wary of toys made before the Consumer Product Safety Improvement Act took effect in 2008, the CPSC told U.S. PIRG Education Fund. That law set stricter lead limits, as well as limits for phthalate and heavy metals.

I 10 OF THIS YEAR'S RECALLS

Here's a look of some of this year's recalls, affecting thousands or sometimes hundreds of thousands of toys.

February: About 2,600 [Koyo Bounca The Squig Plush](#) toys. "The pom-poms can detach from the toy, posing a choking hazard to young children," the CPSC said.



Koyo Bounca the Squig Plush

April: About 46,200 [FAO Schwarz Toy Wood Play Smart Robot Buddy\(s\)](#) and [FAO Schwarz Toy Wood Sensory Boards](#). "Due to a manufacturing issue, small parts from the products can come loose, posing a choking hazard to young children," the CPSC said.



FAO Schwarz Toy Wood Play Smart Robot Buddy

May: About 2,000 [Wonder & Wise Activity Tables](#) by Asweets. "Screws can become loose and/or detach from the xylophone component of the activity tables, posing a choking hazard to young children," the CPSC said.



Wonder & Wise Activity Table

June: About 600,000 6” [Aflac Plush Promotional Ducks](#). “Components of the recalled promotional ducks contain levels of certain phthalates that exceed the federal phthalate content standard. A component of the promotional fishing duck also contains a level of lead that exceeds the federal lead content standard. Phthalates and lead are toxic if ingested by young children and can cause adverse health issues,” the CPSC said.



The Aflac fishing duck was recalled because of phthalates and lead.

June: About 2,700 [Manhattan Toy Company Activity Loops Toys for Infants](#). “Tubes on the Activity Loops toys can detach from the base releasing small plastic rings, posing a small parts choking hazard to children,” the CPSC said.



Recalled Activity Loop

July: About 1,500 [Monti Kids Toy Box with Bins](#). “A small dowel can become exposed and detach from the toy box, posing a choking hazard to young children,” the CPSC said.



Monti Kids Toy Box

July: About 251,000 [Kidoozie Play Tents and Playhouses](#). “The fabric playhouses and play tents fail to meet an industry flammability standard for these products, posing a risk of burn injuries to children,” the CPSC said.



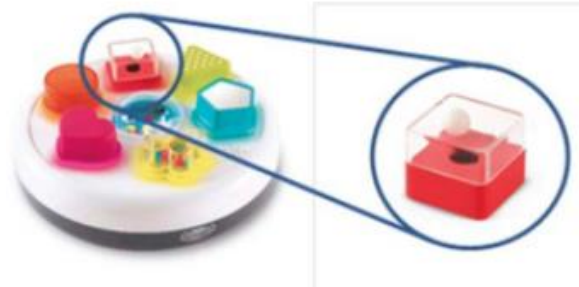
Kidoozie Play Tent

August: About 28,550 [Blue's Clues Foot to Floor Ride-on Toys](#). “The ride-on toy can tip forward when a young child is riding it, posing fall and injury hazards to children,” the CPSC said.



Blue's Clues Ride-on Toy

October: About 9,300 [Early Learning Centre Little Senses Lights & Sounds Shape Sorter Toys](#). “The red cube can come apart or detach during use and release the small white ball inside the cube, posing a choking hazard to infants,” the CPSC said.



Little Senses Lights & Sounds Shape Sorter

August: About 8,200 [Kidoozie My First Activity Desk Toys](#). “When attached to a crib, a protruding knob on the activity desks can become entangled with clothing on a child, posing an entanglement hazard. The opening in the handle on the desks can also pose a jaw entrapment hazard to children under 18 months,” the CPSC said.



My First Activity Desk

I THE ROLE OF PARENTS

Many parents would likely take a dangerous, recalled toy away from their children, if they knew about the problem. But in order for toys to be recalled, they have to be for sale. That means that toys that were once believed safe actually weren't safe at all. It just took a while for the problem to be discovered, either through testing, use or after a child got hurt.

That's where parents and caregivers come in, especially around gift-giving times. Whenever a child gets a new toy, a parent should inspect the toy thoroughly, said Dr. Jerri Rose, associate division chief of pediatric emergency medicine, UH-Rainbow Babies & Children's Hospital in Cleveland.

Things to consider, she said:

- Are there small parts that can break off that the child could put in their mouth? A small part is defined by the CPSC as any object that fits completely into a [test cylinder 1.25 wide by 2.25 inches long](#). This is about the size of the fully expanded throat of a child less than 3 years old.
- Could a piece of plastic or another part of the toy break easily and produce something sharp that could cut the child or poke an eye?
- Look at the label on the box or package. "Toys that are approved should say the age they're approved for," Rose said.
- Make sure that anything that's electric says it's UL-approved.

- Look for "non-toxic" labeling.
- If there are batteries, especially button batteries, make sure the compartments are secure and can't be opened by a young child. Screws could come loose during shipping.
- Is your child old enough to play with the toy responsibly? Just because a child is older than 3 doesn't mean he can automatically be trusted to not put small parts in his mouth. Parents know their children best.

"There are a lot of toys out there that are perfectly safe for the appropriate age child," Rose said, noting it can be challenging when a family has children across a range of ages.

While most people would agree that reading warning labels and not allowing young children to play with toys not meant for their age sounds like good advice, that often doesn't happen, according to The Toy Association, the industry's trade association.

A recent Toy Association survey of 2,000 parents of children 12 and younger found that 76 percent read warning labels. Still, 40 percent admit they regard age labels as "suggestions" rather than warnings. And 68 percent said they would knowingly give their child a toy intended for older children.

This cavalier attitude could be part of the reason that so many children end up requiring emergency room care every year. Many of the injuries occur with toys that aren't necessarily dangerous if played with by children of the proper age or played with as intended.

Injuries and deaths reported to the CPSC from [2018 through 2020](#), for example, involved balloons that were swallowed and obstructed the airway, a stuffed toy in a baby’s sleep environment, a rubber ball that was swallowed and non-motorized riding toys. None of these were inherently dangerous if labeled properly and if warnings were adhered to.

The CPSC urges parents to choose age-appropriate toys that match the child's interests and abilities. And parents should always read and heed the safety warnings, information and labels.

Just about any toy can cause harm if used improperly or by someone too young.

“U.S. toy safety standards are among the toughest in the world,” Joan Lawrence, The Toy Association’s “Toy Safety Mom” and senior vice president of standards and regulatory affairs, told U.S. PIRG Education Fund, “and U.S. toymakers are committed to ensuring the safety of the toys they produce.

“That said, safety is a responsibility shared by industry and consumers. It is equally important that parents and caregivers take an active role in ensuring the safety of children by choosing age-appropriate toys for their kids and supervising play.”

But Trumka, the CPSC commissioner, has a different view.

“Warning labels do not guarantee safety,” Trumka said. “We can’t pretend that throwing labels at parents will change consumer behavior.

“Instead, companies must design products so that they are safe given how people will use them,” he said. “They should prove their toys are safe before they’re allowed to sell them. This will avoid tragedies.”

TOY-RELATED INJURIES TREATED IN ER'S IN 2020:

*** 198,000 injuries overall**

*** 9 deaths**

*** 40 percent of injuries
involved children age 4 or
younger**

I COUNTERFEITS REMAIN A MENACE

Bad actors frequently create counterfeits or knockoffs of name-brand toys that are in high demand and may be difficult to find. Counterfeit and knockoff toys remain a threat because they often don't comply with U.S. safety standards.

“Many counterfeit products are low-quality and can cause injuries,” [according to U.S. Customs and Border Protection \(CBP\)](#).

In fiscal year 2021, [CBP seized 284 shipments of toys](#) worth \$25 million for copyright infringement, meaning they're counterfeits. One shipment seized on a given day could contain hundreds or thousands of the same item. That's up from 221 shipments in fiscal year 2020, but it's less than half of the number seized in fiscal year 2019, when 609 toy shipments were confiscated.

Counterfeits are copies that infringe on trademarks by using the brand name or likeness and claim to be the real thing; knockoffs are products that are designed to look nearly identical to another product but don't necessarily use the brand name or logo. When talking about toy safety, the terms are largely interchangeable and both are misrepresentations to the consumer. In addition to possibly being dangerous, counterfeit/knockoff products may break or wear out quickly and cost legitimate companies money.

The most common risks come from [toys that are imported](#) and may slip under the radar. U.S. Customs and Border Protection can't open every container and test every toy. Counterfeits are also difficult for regulators to attack at times because many shoppers

order directly from international sellers. Small shipments addressed to an individual's home are less likely to be opened and inspected at the border.



Here is one of the counterfeit “Bart Simpson” pop-em fidget toys seized by U.S. Customs and Border Protection in January 2022.

It becomes the responsibility of U.S. retailers, both brick-and-mortar stores and online sellers, to buy from ethical manufacturers.

Similarly, it becomes the responsibility of consumers to be leery when shopping on unfamiliar websites.

The go-to advice: If the only place you can buy a popular, hard-to-find toy is some website you've never heard of or that looks sketchy, there may be a reason for that. The toys may not be genuine, meaning they may not meet safety standards for parts that can break or levels of toxics, which are common in plastic toys. A counterfeiter can produce a toy at lower cost and may use faulty materials, not participate in required safety testing and then market the toy with images aimed at fooling consumers.

Lawrence of The Toy Association said the group works year-round to try to educate parents, grandparents and other shoppers about the dangers of counterfeit toys.

“Unlike legitimate toys which are tested for compliance with over 100 safety standards and tests, counterfeit and imitation toys sold online by unscrupulous sellers are unlikely to comply with our nation’s strict product safety laws,” she said.

In FY21, more products overall were seized from China than any other country, making up more than one-third of seizures. Overall confiscations, not just counting toys, [totaled 27,115, with 10,815 coming from China.](#)

In [one case from FY21](#), which is a common narrative for toy seizures, CBP in Houston, working with CPSC investigators, seized nearly 400 children’s toys containing hazardous chemicals and with other unsafe issues. Among the items in the shipment: stuffed animals, toy dinosaurs, electronic learning boards and infant walkers. Samples were tested in a CPSC lab and “every sampled item was found to contain hazardous chemicals and unsafe designs,” CBP said. The items came from China.

In another case, earlier this year, U.S. Customs and Border Protection in New

Orleans targeted three international shipments for inspection. The [shipments contained 1,800 pop fidget toys](#), which have soared in popularity among children and adults in the last two years for entertainment or to relieve stress. The toys mimic the sensation of popping bubble wrap.

CBP [discovered the toys](#), which were seized in January, had copyright and trademark infringements, including being shaped like Yoda, Spiderman, The Hulk, Bart Simpson, and Converse All Star sneakers. CBP said the toys came from Shenzhen, China, to a local address. Other counterfeit items in recent years have been shipped from Shenzhen, CBP said.



Here is one of the counterfeit “Yoda” pop-em fidget toys seized by CBP in January 2022.

Besides violating copyright, the pop fidget toys may have been unsafe. Various tests on similar counterfeit products in recent years have found [banned phthalates](#), a [suspected carcinogen](#) that’s also linked to [neurological](#) and [learning and behavior problems](#).

Also [in January, CBP said](#) its Houston office had seized 920 imposter Nintendo video game consoles and 50,000 Apple AirPods for intellectual property rights and trademark violations. The products could

have sold for \$6.5 million if they'd been genuine, CBP said.

More recently, [CBP in Norfolk in August](#) seized two shipments of 34,363 squeeze balls, water bottles and coffee mugs with counterfeit likenesses of Superman, Batman, Spiderman and Captain America. The items were valued at \$297,588 if they were sold as genuine products. The shipments were bound for Chicago.

CBP last month cautioned that the holiday shopping season is a time when many counterfeiters try to sell products that aren't genuine and may be unsafe. The advisory came after [CBP in Norfolk, Va.](#), seized \$130,786 worth of children's clothing and backpacks decorated with unauthorized Disney and Marvel characters, as well as infant loungers and mattress covers with counterfeit safety labels and lamps with counterfeit UL safety certifications.



The CBP seized these stuffed animals because they contain harmful chemicals that could be hazardous to children.

| THE NEED TO EDUCATE PARENTS ABOUT COUNTERFEITS

Sadly, the Toy Association survey of 2,000 parents found that 65 percent said they would knowingly buy counterfeit toys if they weren't able to find the real thing, and 63 percent would buy counterfeits if they were cheaper than the genuine toy.

That's not advisable. "It's always better to buy the real thing or wait for a trusted retailer to re-stock the product than to buy a fake toy or cheaper alternative that has the potential to be unsafe," said Lawrence of the Toy Association.

Customs and Border Protection agrees: "Fake goods can lead to real dangers," [CBP says](#).

There are many reasons to avoid counterfeit products:

- Counterfeit products aren't tested to meet U.S. safety standards.
- Cheap knockoffs are more likely to break faster and you'll have wasted your money.
- If you buy a counterfeit product, some bad guy is making money and a legitimate company is losing money. "This translates to lost profits and the loss of U.S. jobs over time," [CBP says](#).
- It is illegal to knowingly buy counterfeit goods. Violators can face civil or criminal penalties.
- Buying counterfeit goods can support criminal activities, such as forced labor or human trafficking.

I NEW BUTTON BATTERIES LAW WILL SAVE LIVES

The standards for securing button batteries or small lithium batteries have been strict for toys for years. Now, other products containing button batteries must meet the same standard.

In August, Congress passed and President Joe Biden signed [Reese's Law](#), named after [Reese Hamsmith](#), a toddler who died in 2020 after ingesting a button battery from a remote control. The battery [burned a hole](#) in her esophagus.

Reese's Law requires product manufacturers to make button battery compartments difficult for children age 6 and younger to open. The law covers any kind of product with small batteries such as key fobs, watches, remote controls and calculators.



The 2032 size is a popular button battery.

Regardless where the batteries come from, it's shocking that in 2019, children 5 or younger ingested 1,843 button cell batteries with 1,502 of those requiring medical care, according to the [National Capital Poison Center](#). These batteries are a threat to older children, too. [CPSC data](#) show that for a seven-month period in 2020, injuries related to batteries increased by 93 percent for children ages 5 to 9 compared with [the year before](#).

If a child swallows a button cell or coin cell battery, it can cause [serious tissue burns](#) that can expand even after the battery is removed. After hundreds of injuries a year, warnings from the CPSC go back to [at least 1983](#).

There are three keys to [the law](#):

- Manufacturers will need to ensure that the products' battery compartments are not easily accessible by children age 6 and younger.
- Products with button batteries will have to bear a warning label advising adults to keep the batteries out of reach from children.
- Packages of individual batteries sold separately must adhere to federal child-resistant packaging standards.

Two years ago, before the law was even introduced, [Duracell started coating](#) its 2032, 2016 and 2025 size lithium button batteries to [make them taste bitter](#), to discourage children from keeping them in their mouths or swallowing them. This isn't required, but it seems like a good idea.

While toys have featured difficult-to-open battery compartments since the 1990s, the new law is a good reminder for parents to be careful with toys that contain button batteries. "Adults should continue to be careful to never leave new or used batteries (from any products) where they are accessible to children," the [Toy Association says](#). "When changing the batteries in a toy, be sure to re-engage the locking system and carefully discard used batteries."

I FINALLY, NEW RULES FOR HIGH-POWERED MAGNETS

The Consumer Product Safety Commission (CPSC) has taken swings at tiny, high-powered magnets for [more than a decade](#), with lawsuits, recalls and warnings. In just the last 15 months, three large high-powered magnet brands – [DigitDots](#), [Zen Magnets](#) and [Neoballs](#) – have seen their tiny magnets recalled.

Now, it has finally made [new rules](#) aimed at better protecting children.

The tiny magnets, often used as fidget toys, caused 26,600 children to require emergency room treatment from 2010 through 2021, [according to the CPSC](#). In addition, at least seven children have died after ingesting high-powered magnets.

These types of magnets pose an incredible safety threat because children — including teenagers — sometimes put them in their mouth to mimic a piercing, or for some other reason. But if two or more magnets are swallowed, they can connect and pinch internal tissue together and cause serious issues such as intestinal blockage or blood poisoning.

Effective Oct. 21, [federal standards](#) now require magnets that are [loose or able to come out of products to be either too large to swallow](#) or weak enough to minimize that they're unlikely to connect inside the body if two or more were swallowed. If magnets fail the CPSC's [small parts cylinder test](#) – any object fits completely into a test cylinder 2.25 inches long by 1.25 inches wide, then they must have a flux index of less than 50 kG2 mm2.

The commission voted unanimously to approve the new rules.

Magnet sets are [defined as](#) “any aggregation of separable magnetic objects that is a consumer product intended, marketed or commonly used as a manipulative or construction item for entertainment, such as puzzle working, sculpture building, mental stimulation, or stress relief.”

High-powered magnets or toys with small high-powered magnets have long been required to carry warnings that they [shouldn't be used by children under 14 years old](#). And magnets that are small enough to be swallowed [are prohibited](#) in toys for children younger than 14. That didn't stop children less than 14, and even those 14 and older, from getting injured from magnets, [the CPSC says](#). Some manufacturers of high-powered magnets boasted their products were [30 times more powerful](#) than refrigerator magnets.

The rule applies to magnets manufactured after Oct. 21. But like many safety requirements, it doesn't do anything for products we already have in our homes. Families with children in the home should strongly consider disposing of tiny, high-powered magnets before another child gets injured needlessly.

A few of the cases from recent years:

November 2020: A [12-year-old boy](#) had pain after swallowing 4 mm magnets and went to the hospital. It turns out the magnets in his small bowel were adhering to the

magnets in his stomach. He had a procedure to remove nine magnets. A 10th was left to pass on its own but he ended up having surgery to cut open his intestine to remove the last magnet.

September 2020: A [9-year-old boy](#) put two magnets on his lip, pretending it was a lip piercing. He swallowed them. He went to the hospital for an emergency endoscopy but the magnets couldn't be retrieved. He was admitted and given medication to help them pass.

March 2018: A [2-½ year old boy](#) got a hold of a magnetic trivet, a hot plate that connects to cookware. He chewed on it and ingested four “very strong” magnets. The magnets attached to one another and created holes in his intestine. He required emergency surgery to remove the magnets and repair the holes in his intestine. He required several surgeries. The next year, about 350,000 of the trivets were [recalled](#).

April 2020: A [3-year-old boy](#) went to the emergency room after swallowing 3 mm magnets from a set owned by his sister. He had an endoscopy. “About 30 small magnets could be separated from the large mass of magnetic balls, totaling more than 150. Patient had to undergo surgical removal of the remaining magnetic balls.”

I TOYS WITH MICROPHONES, CAMERAS AND THE ABILITY TO GATHER DATA

Over the years, life has become increasingly digital, and that includes the toys our children play with. Electronic toys have become common in the marketplace, and they increasingly include the ability to connect to the internet. By connecting to WiFi or Bluetooth, toys gain additional capabilities. Every year, more and more of these high-tech toys are hitting the market and internet-connected toys, for better or for worse, are reinventing play.

These toys can offer features parents and kids may want, but they also bring new types of risk. Given their rapidly growing popularity, now is the time for parents to think carefully about whether to bring these toys into the home, and if so, how to do it safely.

Here we catalog some of the risks of internet-connected toys, and offer tips for parents to help make smart decisions about smart toys.

What are connected toys?

Connected toys are those that use WiFi or Bluetooth to deliver a part or all of their play functions. Just as connecting to the internet gives a laptop access to a huge number of uses -- like allowing you to stream video, download apps, or check email -- an internet connection gives toys a wider range of capabilities than they would have otherwise. Demand for [connected toys is rising](#), in part thanks to the [increased presence](#) of screens, smartphones and tablets in children's lives.

WiFi or Bluetooth connections are often added to toys to make them more interactive. It enables many to be used with a companion app, giving your kid a digital interface for interacting with their toy. These apps, for example, can serve as a kind of "remote control," allowing a child to use an app to control the toy's movement in the physical world, or teach it to perform multi-step tricks. Other toys may use an app to communicate with your child, like keeping track of points during a game.

Connected toys often include other technologies such as microphones, cameras or sensors in conjunction with an internet connection to enable all their features. Many can transmit data to apps or outside servers that is then processed, then prompting the toy to act accordingly. For example, some dolls that have conversations with kids include a microphone, and use WiFi to transmit a child's words to speech recognition software maintained by the manufacturer. Then, the child's words may be compared against databases of possible responses for the doll to deliver, [which the company then transmits](#) to the doll's microphone over WiFi. In some cases, your child's answers may be kept over the longer term, enabling the doll to remember, for example, your child's name or favorite animal.

Connected toys can offer features parents may want, like generating reports about a child's engagement that help parents understand their child's development in new ways, or keeping kids' interest longer than

analog toys with software updates that [continuously offer new features](#).

These toys, however, do come with risks and they should be considered carefully.

Potential risks

Safety risks

Many web-enabled toys include devices like microphones or cameras that can pose security risks to children. If hacked, these toys can be used to eavesdrop on or even communicate with kids.

In 2017, [U.S. PIRG Education Fund reported](#) that the My Friend Cayla doll had an unsecured Bluetooth connection, enabling the doll to become a microphone for anyone nearby to talk to a child through the doll. Smartphones automatically recognized the doll as a normal hands-free headset, and did not require a password to connect to the doll, or for a person to physically interact with the doll at all in order to use it to converse with children.

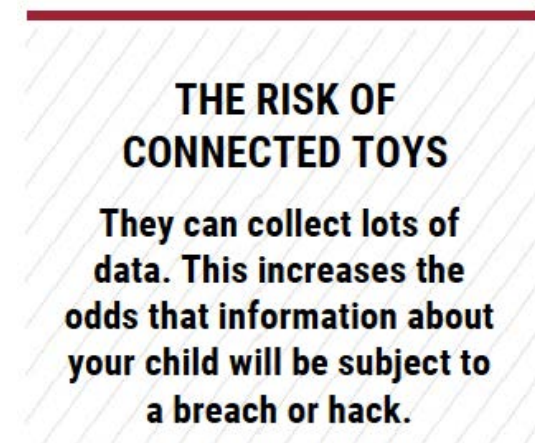
In 2021, U.S. PIRG Education Fund found a similar security problem with The Singing Machine, a Bluetooth karaoke microphone that allowed users to connect it with any app or music platform. The microphone didn't require a PIN or other verification to connect to the device via Bluetooth. PIRG toy researchers [were able to connect to the Singing Machine](#) from outside of their home at about 30 feet away. A bad actor could connect to the device and play anything from an explicit song to a voice recording telling a child to come outside.

Data collection, breaches and hacks

Internet-connected toys often collect data about children as they play, many through a companion app. The more data companies collect on users, the more likely that data

will be subject to breach or hack, and smart toys are no exception.

In 2015, for example, the toy company VTech was the target of a successful cyber attack that [exposed the data of at least 6.4 million children](#) – the largest ever hack of kids' information to date. The exposed data included children's names, birthdays, and genders, and [in some cases](#), photos, recordings and chat logs. This episode is far from an isolated incident.



Another example, from 2017, involved CloudPets, internet-enabled stuffed animals, which were designed to exchange recorded messages between kids and parents (useful, for example, while a parent is on a business trip). The toys exposed the emails and passwords of more than 800,000 accounts, and made it possible for outside actors to access more than [2 million of the recorded messages](#) between children and their parents online. Major toy retailers stopped selling the bear by June 2018 — including eBay — but in 2021, [PIRG Education Fund researchers found](#) them still for sale from certain retailers on eBay.

If you are thinking of buying your child an internet-connected toy, there are steps you can take to make sure your child's safety or privacy aren't compromised. See our tips at the end of this report.

I ONGOING THREATS: BALLOONS, NOISY TOYS, PLASTIC FILM AND MORE

Balloons

In 2020, [three children died](#) in connection with balloons. Fully inflated balloons don't pose a hazard to children, the CPSC says. It's when they break into pieces, or before they get blown up, that they're dangerous because they can be ingested. The [CPSC recommends](#) that children younger than 8 years old not play with uninflated balloons without supervision.

Noisy toys

Many toys for younger children beep, buzz, ding, ring, make animal noises or play music. But these toys can damage children's hearing if the noises are too loud or played with in a way the manufacturer didn't intend.

Repeated noise exposure can damage a person's hearing, according to the American Speech-Language-Hearing Association. Said another way: Noise exposure is cumulative, and it slowly degrades hearing acuity or sharpness over time.

Toys are required to [meet ASTM standards](#), which set the maximum allowed sound pressure level at [85 decibels](#), as measured at 50 centimeters (or about 20 inches) away from the toy. That's longer than the typical adult's arm. The Sight and Hearing Association says toys should be tested based on how a child may play with it. In many cases, the toy would be closer than 20 inches away; it may be next to the child's face.

Plastic film coverings

This is a newer safety concern: Toys with mirrors or other delicate surfaces often have plastic film coverings, so the surfaces don't get scratched during shipment. The [CPSC is aware of at least two incidents](#) involving children who nearly choked after they peeled the plastic off a toy and put it in their mouths. The CPSC warns parents and guardians to remove all film coverings because they pose a choking hazard.

Items without warning labels

Many items intended for children don't contain warning labels and are exempt from the small parts rule, but can still be dangerous for younger children. Among the [exempt items](#): books and other products made of paper, modeling clay and writing/drawing items such as crayons, chalk, pencils, pens, watercolors and finger paints. They are exempt because they cannot be manufactured in a way to stop them from being broken or torn into small pieces that can be swallowed.

I CONCLUSION: RECOMMENDATIONS AND TIPS

RECOMMENDATIONS

- Congress should pass the [INFORM Consumers Act](#), which was introduced last year. The goal: Stop sales of stolen, counterfeit or dangerous consumer products, including toys. The Integrity, Notification, and Fairness in Online Retail Marketplaces Act would require online merchants to collect, verify and disclose certain information from high-volume, third-party sellers.
- Toy manufacturers should make a commitment to do a better job of adhering to existing toy safety standards and improving testing.
- Merchants, both brick-and-mortar stores and online platforms, should do more to prevent recalled toys and counterfeit/knockoff toys from being sold.
- The CPSC should step up enforcement and impose meaningful penalties against merchants that sell counterfeit or recalled toys.
- The CPSC should continue to research the risks of phthalates and other toxics. “We’ve passed strong rules to keep lead and phthalates out of toys,” Trumka said.

”We should pass more strong rules to protect kids from other hazards. The problem is, there are more toxic chemicals out there than we know about,” he said. “It should be incumbent on companies not to use chemicals in products unless they know they’re safe. But until they fix the problem themselves, CPSC will be here to hold them accountable.”
- Other battery manufacturers should consider making “bitter batteries,” [as Duracell does](#), by coating button or coin-sized batteries with a foul-tasting substance to discourage children from putting them in their mouth or swallowing them.

| TIPS FOR PARENTS, CAREGIVERS

For everyone with all toys:

Carefully check toys, both when they're new and every so often to see whether there's wear and tear. You're particularly looking for any parts that are loose or could easily break off and be swallowed or cut the child.

When your child gets a new toy, and periodically after that, check whether the toy has been recalled by going to [saferproducts.gov](https://www.saferproducts.gov)

Evaluate whether particular toys are appropriate for *your* children, starting with the minimum age warning label. But even if your child is "old enough," they may not be able to be trusted to play with the toy as intended. In addition, consider whether your child is also responsible enough to keep the toy out of reach of any younger children.

Be leery of toys from unfamiliar sellers or international sellers. They may be more likely to sell counterfeit toys or toys that don't meet U.S. safety standards.

When researching a toy, check whether the manufacturer has its own, official website. "A responsible, legitimate company will have their own website," said Lawrence of The Toy Association. "They also will likely sell their product directly on their site or will have a list of official retailers with links to purchase." If there is a website, pay attention to red flags like typos, spelling mistakes and poorly photoshopped pictures in the product's online description.

Research reviews of a toy. Pay attention to negative reviews and if there aren't many reviews at all, which could suggest a problem.

Look for labeling on toys that says it's non-toxic.

Make sure that anything that's electric says it's UL-approved.

Vintage toys are great for the memories, but be wary of toys made before 2008, when the [Consumer Product Safety Improvement Act](https://www.fda.gov/consumer-division/consumer-product-safety-improvement-act) took effect. Toys that comply with that law are safer in many ways. The law set new limits on lead, phthalates and heavy metals, and requires third-party testing to make sure toys meet ASTM F963-17, which is the Standard Consumer Safety Specification for Toy Safety that covers a range of potential hazards in toys.

Report incidents involving toys to the CPSC at [saferproducts.gov](https://www.saferproducts.gov)

For younger children:

For any toys with plastic film coverings on toys to protect them during shipping, be sure to remove the film. It can post a choking hazard to children.

Keep small balls, blocks and other toys with small parts out of reach from children younger than 3.

High-powered tiny magnets are now prohibited from being manufactured. But the new federal rule doesn't affect magnets that

may be in people's homes. If you have children or teens in your home, you shouldn't have tiny magnets, the [American Academy of Pediatrics says](#). Also explain to your kids how dangerous these magnets are, in case they come across them at a friend's house.

Keep deflated balloons away from children younger than 8 and keep your ears open for an inflated balloon that pops. Balloons that haven't been blown up and ones that have broken are a choking hazard.

For children younger than 18 months, keep them away from toys with any strings, straps, or cords longer than 12 inches.

If there are batteries, especially button batteries, make sure the compartments are secure and can't be opened by a young child. In addition, make sure to never leave new or used batteries where children can reach them.

Watch out for painted jewelry, cheap metal or other toys with paint that seems to chip off easily. We know young children often put things in their mouths. The objects could contain lead, which is particularly harmful to children's developing brains and nervous systems.

For older children:

For scooters, hoverboards and other riding toys, require your child to wear safety gear – particularly helmets that fit properly, said Dr. Jerri Rose, associate division chief of pediatric emergency medicine, UH-Rainbow Babies & Children's Hospital in Cleveland. Also make sure they understand how to ride on streets shared by vehicles that can injure or kill them. Just because a child is a certain age

doesn't automatically mean they can be trusted. "Maybe they're not ready to be responsible," Rose said. "Parents need to make sure their child is able to handle those in a safe way."

For those with techy toys:

If you are thinking of buying your child an internet-connected toy:-

Research the toy's potential safety risks before buying. Ensure there are no reports of a toy posing known dangers to children. Search the toy manufacturer online to see if there are any news reports or government actions against it for violating privacy standards, and avoid those with a spotty record. Looking up reviews of the toy may also help you identify toys that have made parents feel uncomfortable.

Understand all of the toy's features. Make sure you understand exactly what the toy can do. Consider what features will work best for your family.

Features to consider carefully:

- Cameras, microphones or sensors
- Chat functions
- Location sharing
- In-app purchases
- Level of individual personalization the toy is programmed to accomplish

Features that can be helpful:

- Parental safety controls
- Ability to set time limits

Look for toys with a physical component to connect it to the internet: This can even be as simple as having a button on the toy you must press in order to link it to other devices. Ensuring someone must physically

interact with the toy helps cut down on the risks of strangers abusing its internet connection. Some toys will require you to enter a password in an app to connect with the toy. This is a good feature to have, but physical requirements are best.

Read the terms and conditions. Terms and conditions aren't fun or easy to read, but when it comes to toys, it's important for parents to read enough to try and find answers to key questions. These include:

- If the toy has a microphone or a camera, is it recording your child's interactions with it? Are those communications transferred anywhere? To whom, and for what purpose?
- Is the toy collecting any other information about your child, or transferring it to any company that isn't the manufacturer? Best to find manufacturers and toys that don't share any data at all.
- How long does the company keep your child's data on file? The company should only keep data for as long as is required to fulfill its play function. If the policy doesn't explicitly state how long the company keeps data, this can be a red flag.
- Does the company state it is allowed to change terms and conditions without notifying you? This can be a red flag, too.

Unfortunately, it's possible you won't find the answers to all of these questions in the terms and conditions or privacy policies. These documents can be purposefully vague and omit important information. If this is the case, it's safer to find a different toy made by a company that takes the security of children more seriously.

Supervise playtime, especially with younger kids. Establish with your child that playtime with the toy is only with parental supervision. This helps to ensure that if someone is hacking and using the toy to interact with your child, you can take action immediately.

Turn it off. Always turn the toy off when not in use. For younger children, store it in a place your child can't reach when playtime is over to ensure they can't turn it on without supervision, re-enabling the toy to pose unmonitored risks.

Stay on top of security updates. Many web-enabled toys and their companion apps will issue periodic updates. Make sure to stay on top of these.

For info on recalls and more tips:

**[cpsc.gov/recalls](https://www.cpsc.gov/recalls)
[saferproducts.gov](https://www.saferproducts.gov)
[toysafetytips.org](https://www.toysafetytips.org)
[playsafe.org](https://www.playsafe.org)
[kidsindanger.org/](https://www.kidsindanger.org/)
[protect-your-child/play/](https://www.protect-your-child/play/)**

I METHODOLOGY

We wanted to find out whether we could purchase toys that had been recalled, with the recalls announced publicly by the Consumer Product Safety Commission (CPSC), which regulates safety in nearly all consumer products. Toys are recalled when the company or the CPSC finds risks such as choking hazards, toxics, flammability, etc.

From Jan. 1, 2022, through Oct. 31, 2022, there were 26 recalls involving toys. During October, we set out to try to buy 16 of them. We didn't try to buy 10 of them either because they were too big and would be too expensive to ship (such as an outdoor play kitchen) or there were too few of them recalled (such as 20 wagons recalled in January).

We initially searched Amazon, eBay and Facebook Marketplace. We found none of the recalled toys on Amazon. We found and purchased many on eBay and Facebook Marketplace.

We also did searches on Google and found and purchased some items on Mercari, a popular online marketplace. We also made purchases on Lumilane (lumilane.com), Bird in Hand (birdinhand.com), Lima Offers (limaooffers.com), Little Dickens Givens Books (Givensbooks.com) and Walker Shop (shop.walkerart.org).

For one recall, a Kidoozie infant activity desk recalled in August, we purchased one and paid for it several times through various sellers, including Mercari and Facebook Marketplace. But the transactions repeatedly were canceled for an unknown reason and our money was refunded.

We also looked at recall listings from the last few years. We were able to buy three toys that had been recalled in 2019 or 2021.

All but a few of the toys were new in the box or new with tags.

In all cases, after receiving the items, we checked to make sure that what we received was in fact one of the recalled items, by comparing the model number or UPC on the label or box. In many cases, the model number for toys is actually imprinted on the bottom of the toy as well as the box.

For two toys we purchased that were recalled *before* Jan. 1, 2022, we discovered after we received and inspected the toys that they weren't the model that had been recalled. In both cases, they were manufactured after the recall, so presumably the issue was fixed in newer products. (Both of the recalls involved parts that could easily come loose and pose a choking hazard.)

We successfully purchased and received eight of the 16 listings for toys recalled in 2022, and bought multiples of five of them. We also successfully purchased and received three toys recalled before Jan. 1, 2022, and bought multiples of one.

In all, we purchased and received a total of 32 recalled toys.

I APPENDIX

----- Forwarded message -----

From: <no.reply@ebay.com>

Date: Thu, Oct 13, 2022 at 10:32 AM

Subject: There may be product concerns with the item you purchased

To: <terxxxx>



Hello,

We take product safety very seriously. We're reaching out to you because an item you purchased may have been recalled or pose a safety hazard. We recommend that you stop using this product. If you have questions about the item(s), please reach out to the seller or the manufacturer. Item details are listed below.

This item is recalled and is not permitted on eBay due to product safety concerns as shared on the U.S. Consumer Product Safety Commission (CPSC) website.

For more information about the recall associated with this product, please see the U.S. Consumer Product Safety Commission (CPSC) website below:

[U.S. Consumer Product Safety Commission \(CPSC\)](#)

If you have any problems, you may be eligible to return this item for a refund. Learn more about our [eBay Money Back Guarantee](#).

Item details: 354319057282 - Aflac Duck Plush Small 6" Fisherman Fish Fishing Pole Plush Toy Talking

If you have questions, please go to "Help & Contact" at the top of most eBay pages.

Thanks,
eBay

Please don't reply to this message. It was sent from an address that doesn't accept incoming email.

I APPENDIX

Estimated Number of Toy-Related Injuries from 2013 through 2020

Table 8, Figure 3 and Figure 4 display the annual ED-treated injury estimates and rates associated with toys from 2013 through 2020. Staff found a statistically significant decreasing trend in the injury estimates for all age groups except for 4 years of age or younger group.¹⁵

**Table 8: Toy-Related ED-Treated Injury Estimates for Different Age Groups
2013–2020**

Calendar Year	All Ages			14 Years of Age or Younger			12 Years of Age or Younger			4 Years of Age or Younger		
	Injury Estimate	CV*	Injuries per 100,000 People	Injury Estimate	CV*	Injuries per 100,000 People	Injury Estimate	CV*	Injuries per 100,000 People	Injury Estimate	CV*	Injuries per 100,000 People
2013	246,300	0.0732	78	184,500	0.0815	302	175,500	0.0825	333	83,300	0.0947	420
2014	240,900	0.0839	76	179,700	0.0959	294	170,300	0.0965	323	84,000	0.1124	423
2015	244,400	0.0861	76	181,600	0.0985	298	173,200	0.1010	328	88,400	0.1171	444
2016	240,000	0.0945	74	174,100	0.1128	286	166,300	0.1152	315	85,200	0.1299	427
2017	251,700	0.0921	77	184,000	0.1098	302	174,300	0.1109	331	89,800	0.1314	452
2018	226,100	0.1069	69	166,200	0.1355	273	158,800	0.1343	302	83,800	0.1407	423
2019	224,200	0.1181	68	162,700	0.1454	269	154,700	0.1458	296	78,700	0.1519	402
2020	198,000	0.1178	60	149,200	0.1367	231	144,700	0.1378	279	78,500	0.1487	407

Source: NEISS, U.S. Consumer Product Safety Commission. Estimates are rounded to the nearest 100. Population estimates for 2013 to 2020 are from [Annual Estimates of the Resident Population by Single Year of Age and Sex: April 1, 2010 to July 1, 2020, U.S. Census Bureau, Population Division, Release Date: June 2021.](#)

*Coefficient of variation (CV) is a measure of the dispersion of the data as a ratio of the standard deviation to the injury estimate. The higher the CV, the larger the dispersion is. The population estimates are assumed to be constant, and therefore the CVs for the estimated injuries per 100,000 people are equivalent to the CVs for the injury estimates.

APPENDIX

