

Consumer Product Safety Improvement Act Library Information Sheet

- In August 2008 Congress passed legislation titled “*The Consumer Product Safety Improvement Act of 2008*.” The legislation sought to protect children (specifically age twelve and under) from the dangers associated with products containing unreasonable levels of lead, by imposing lead standards and testing requirements.
 - The Consumer Product Safety Commission (CPSC) was charged with enforcing the legislation.
 - Congressman Jeff Fortenberry R-NE, has introduced legislation (H.R. 1692) to amend the original law to exempt ordinary books from the lead limits within the bill.
- The American Library Association states that neither the law nor the legislative history indicates any Congressional intention to include books in the law.
 - The sponsors of the original bill (Senator Durban, D-IL and Congressman Rush, D-IL, plus more than 100 others) never intended for the legislation to apply to all children’s books.
 - The legislation was misinterpreted by the CPSC to include ordinary books –those books that are published on paper or cardboard, printed by conventional publishing methods, intended to be read, and lacking inherent play value.
- On August 26, 2009 CPSC released its final rule on children’s products confirming that libraries have no independent obligation to test library books for lead under the law.
 - Testing by accredited laboratories has shown that finished books and their component materials contain levels of lead which are considered below the threshold of concern.
 - The Centers for Disease Control and Prevention has determined that there is little risk to children from the lead in ordinary books.
 - Independent tests by publishers have found that all components in children’s books had levels of lead far below the levels required by law.
- Later this fall the CPSC will release a Statement of Policy to address the treatment of older children’s books.

While libraries have no independent obligation to test library books for lead under law, some libraries may have older books in their circulating children's collections that cause public concern.

Public and association libraries in New York State have the option to remove older books from children's collections in accordance with board-approved collection development policies.

However, the State Library recommends that older children's books of possible historical significance or research value be either moved to a non-circulating collection in the library or donated to a historic children's book repository.

One such repository is the Miriam Snow Mathes Historical Children’s Literature Collection at the University at Albany <http://library.albany.edu/speccoll/children.htm>. This is a library of rare children’s books of historic interest (pre-1963 see collection guidelines). For more information about donating items to the University at Albany collection, please contact David Mitchell, Curator pro bono, Miriam Snow Mathes Historical Children's Literature Collection, at 518/437-3938 [fax -3930] or at DMitchell@uamail.albany.edu.