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Childrenswear Coalition Calls on NY Senators to Support DeMint Legislation

*Commonsense bill would correct federal lead regulation, saving jobs and
small businesses*

DeMint Amendment should be added to the Senate's stimulus plan

NEW YORK – The Coalition for Safe and Affordable Childrenswear (www.safechildrenswear.org) issued a firm statement in support of Sen. Jim DeMint's (R-SC) legislation to eliminate the retroactive application of Consumer Product Safety Commission's (CPSC) lead regulation and called on Sens. Chuck Schumer (D-NY) and Kirsten Gillibrand (D-NY) to help insert the language into the Senate's stimulus plan, saving thousands of New York jobs and small businesses.

“Sen. DeMint's legislation is the first step in reversing the Consumer Product Safety Commission's improper retroactive interpretation of the new federal lead legislation, a ruling that if not corrected will cost our industry 4,000 jobs and \$500 million in revenue to the city,” said Cory Silverstein, Executive President of Kids Headquarters and a Member of the Coalition Executive Committee. “We count on Sens. Schumer and Gillibrand to give us a voice in Washington. Now it's time for them to stand up for their constituents and be counted.”

The new federal rules, which implement new lead standards set by Congress in the Consumer Product Safety Improve Act (CPSIA) that was passed last year, would retroactively apply to children's clothing already on store shelves and in the inventory pipeline, **forcing manufacturers to take back upwards of \$500 million in returns of safe products**. A ruling on Friday by the Consumer Product Safety Commission delayed some testing requirements for a year and said retailers should act in good faith that their products are safe. This stay – deemed unacceptable by the coalition - has created mass confusion among retailers, who are erring on the side of caution and returning untested products to manufacturers.

“For the Consumer Product Safety Commission, to put the brunt of the burden on our small family businesses is reckless and unacceptable,” said Steve Levy, Director of Operations of Star Ride Kids and member of the coalition's executive committee. “In fact, the CPSC's ruling to delay the implementation of the law actually makes matters worse. We expect to receive hundreds of boxes of garments returned by retailers who cannot afford to gamble on whether or not they have unsafe products on their shelves.”

The most important language in Sen. DeMint's legislation calls for a delaying the rules to give the CPSC the time it needs to develop a balanced, sensible approach to testing and certifying children's clothing and eliminating the retroactive implementation of the regulation by making the compliance deadline for the new standards a “manufactured by” date, not a “sell-by” date.

“The fact is, if these totally unreasonable and unrealistic regulations go into effect on February 10th, they will have a **devastating impact on a critical small business sector in New York at the worst possible time**, when retail sales are plummeting and our economy is losing jobs across the board,” Silverstein said.