

POSITION PAPER

REDUCING DANGEROUS IMPORTS

By: John W. Wallace

There have been numerous reports in the media about the recall of large quantities of imported toys containing lead, poisonous and tainted food items and other products that are dangerous to the health of Americans. The two government agencies most responsible for protecting us from these dangerous imports are the Consumer Product Safety Commission (CPSC) and the Food and Drug Administration (FDA). Both agencies have been under-funded for many years and are currently ill-equipped to adequately protect us. Add this to the fact that in 2006, the United States imported nearly \$2 trillion worth of goods through more than 825,000 importers. Experts project that the value of imports is expected to triple to \$6 trillion by 2015. Physically inspecting every item would bring international trade to a standstill and divert limited resources from those items posing the greatest threat.

What about corporate responsibility? We'd like to think that the large international corporations that are importing these products into the USA, many of them American owned, would somehow guarantee their quality. Unfortunately, huge safety recalls by big brand-name companies have revealed that this is not the case, with many corporations having gaping holes in their quality control procedures. Americans have long known the dangers of lead in children's toys, so why are so many of our children's imported toys loaded with lead? Our leaders talk about protecting America from terrorist attacks, but we are also increasingly vulnerable to the effects of these dangerous imports due to poor quality control by international corporations, inadequate federal regulations, under-funding of federal agencies and unfettered free trade. Americans need protection not just from international terrorists, but also from large international corporate interests and foreign governments that are willing to push their unsafe products on Americans after they are oftentimes made in low-cost, unregulated and/or contaminated facilities.

It appears that cheap foreign labor does have a very high cost for Americans! Most big American companies importing products from China and other countries should have acted responsibly and should have been checking and testing products while they were still on the assembly line, instead of relying on others to test them, or waiting until the products have already been shipped. It's the responsibility of manufacturers and distributors to check up on their suppliers, not just our government agencies.

Our system for keeping children's toys, food products, medicines and other products safe is in desperate need of repair. This year, more than 25 million toys have been recalled, many for dangerous lead paint, along with an untold number of food and other products. The federal agencies responsible to check on the

safety of these imported products (CPSC and FDA) are severely under-funded and need more personnel. The era of corporate self-regulation, lax enforcement and minimal penalties for violators must come to an end. It's time to pass legislation to hold manufacturers, importers and retailers accountable for the products they import and sell. Any legislation to address the problem of these dangerous imports must contain the following:

Independent Certification: Government accredited laboratories must ensure that imports meet U.S. safety standards. Products should be tested in foreign factories and at our ports, before they wind up on our shelves. Foreign manufacturers must certify that their products meet US FDA and CPSC standards in order to export them to the United States.

Increased Inspection and Stronger Standards: The CPSC and the FDA must have more inspectors and product testers. CPSC and FDA standards should be strong and up to date.

Real Enforcement Power: All agencies with enforcement authority should have the power to levy meaningful civil penalties for manufacturers, importers, distributors and retailers who fail to comply with regulations and criminal penalties for the executives of those companies who knowingly jeopardize public safety.

Greater Retailer Responsibility: Retailers must be required to remove all recalled products from shelves promptly, post prominent recall notices and to continually check products for safety.

Recall Authority: the FDA and the CPSC must be given the authority to “order” the removal of unsafe products from shelves, rather than to “negotiate” their recall requests with companies. It should also be criminal offense to sell recalled consumer products.

Country of Origin Information: Consumers have a right to know where the food and other imported products they buy are coming from. Food, as well as other consumer products, should clearly identify the country of origin.

Increase Penalties for Violations: the Federal government must take steps to strengthen penalties against foreign and domestic entities that violate U.S. laws, thereby providing a significant incentive for them to comply with U.S. requirements.

I support legislation to increase the funding of both the Consumer Product Safety Commission and the Food and Drug Administration, strengthening their enforcement power, holding international corporations more accountable, increasing fines for violations, mandating the identification of the country of origin and setting up a certification program to ensure that foreign manufacturers meet US CPSC and FDA standards. These steps will reduce the number of dangerous products being imported into this country.

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