

# Consumer Product Safety Improvement Act

*Allow Goodwill to sell children's apparel within the letter of the law and in good conscience.*



Until I joined my Goodwill family, I had never been part of something quite so powerful. Not only do I love my job, but I spend my days working for a company that makes a difference in our community in many different ways. — Amanda Downes

## What is the Consumer Product and Safety Improvement Act?

On August 4, 2008, President George W. Bush signed the Consumer Product and Safety Improvement Act (CPSIA), thus enacting new standards for lead in children's products, including children's clothing. The law requires children's products intended for distribution and sale in the United States to be tested by a third-party tester. To prevent children from being exposed to dangerous lead levels, the law requires products that comply with the new standards to be certified and labeled accordingly to ease identification of CPSIA compliance. CPSIA also prohibits the sale of products that exceed the new standards, including products that were manufactured long before the CPSIA was implemented.

## Issue of Concern

The unintended consequences of the CPSIA continue to have the potential to negatively impact local Goodwill® agencies and the communities they serve.

## Goodwill Industries® and the Consumer Product Safety Commission (CPSC): A Long History

Goodwill's first priority is the safety of its customers. Goodwill has a long history of working in good faith with the CPSC to prevent unsafe products from being sold in its stores.

Goodwill continues to demonstrate its commitment to protecting its customers through its enthusiasm for a recently enhanced partnership with the CPSC to educate the public, and inform and train Goodwill's retail professionals to comply with the CPSIA. This collaborative public awareness campaign has been extremely helpful in educating shoppers and employees about the hazards of certain products and proper recall procedures.

Goodwill believes that these efforts demonstrate the gold standard of good faith on the part of both Goodwill and the CPSC toward accomplishing our mutual goals of protecting children by minimizing the risk of exposure to dangerous lead levels in children's products. By continuing these efforts, we believe amending

the CPSIA by exempting the sale by charitable organizations of used children's clothes from the CPSIA's sales ban would allow Goodwill stores to sell used children's apparel within the letter of the law and in good conscience.

## The Solution

The House Energy and Commerce Committee's Subcommittee on Commerce, Manufacturing and Trade is developing legislation that proposes to amend consumer product safety laws. Section 2 of the current discussion draft includes a provision that would exempt the sale by charitable organizations of used children's clothes from the CPSIA's sales ban; thus allowing charitable organizations, such as Goodwill, to sell used children's products to support services provided to people in their communities. The bill defines "used children's product" as follows:

*(B) DEFINITION.—The term 'used children's product' means a children's product that was obtained by the seller for use and not for the purpose of resale or was obtained by the seller, either directly or indirectly, from a person who obtained such children's product for use and not for the purpose of resale. Such term also includes a children's product that was donated to the seller for charitable distribution or resale to support charitable purposes. Such term shall not include—*

*(i) children's metal jewelry;*

*(ii) any children's product for which the donating party or the seller has actual knowledge that the product is in violation of the lead limits in this section; or*

*For purposes of this definition, the term 'seller' includes a person who lends or donates a used children's product.*

## Action Requested

Goodwill urges House members to co-sponsor the discussion draft being developed by the House Energy and Commerce Committee. Goodwill also advocates for the advancement of a Senate companion bill.

## About Goodwill

Goodwill generates opportunities for people to achieve economic stability and build strong families and vibrant communities by offering job training, employment placement services and other community-based programs for people who have disabilities, lack education or job experience, or face employment challenges. In 2010, approximately 170,000 people in the United States and Canada obtained meaningful employment as a result of Goodwill career services programs. Collectively, these employees earned \$2.7 billion in salaries and wages and contributed to their communities as productive, tax-paying citizens.

## For more information, contact the Goodwill Industries International public policy team:

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