Consumer protection

by The San Diego Union-Tribune

In between the nanny-state position of congressional Democrats and the head-in-the-sand views of the Bush administration, there surely is an appropriate public policy to better protect American consumers.

Last week's recall of the highly popular children's toy Aqua Dots served in dramatic fashion to illustrate once again that more consumer protection is clearly needed. Scientists reported that the Aqua Dots beads contained a chemical that, when eaten, metabolized in the body into a powerful date-rape drug that could kill or have other serious medical consequences. Two children in the United States went into nonresponsive comas after swallowing the beads, while three children in Australia also were hospitalized. Thankfully, all the children recovered. Aqua Dots were distributed by a Canadian company and manufactured in China's Guangdong province, where the Chinese government last week banned more than 700 toy factories from exporting their products because of shoddy workmanship. The rush of manufacturers from around the world to China in recent years has been astounding, as has the concurrent rise in problems in quality. In fact, up to 80 percent of all toys sold in the United States are said to be manufactured in China, and 60 percent of all product recalls in the United States reportedly involved Chinese-made goods.

Frankly, if they want to sell their goods in the American market, far more must be done by the manufacturers and the Chinese to assure that those products are designed to American standards and that they actually meet those standards. But it is up to the federal government, primarily the Consumer Product Safety Commission and the Food and Drug Administration, to monitor the marketplace to make sure that happens. But the budgets of both agencies are woefully inadequate to the task. In the case of toys, for example, The New York Times reports that the CPSC has just one full-time tester.

Sen. Daniel Inouye, the Democratic chairman of the Senate Commerce Committee, is sponsoring legislation that would double the CPSC's budget over seven years, increase its staff by some 20 percent, significantly expand its authority and completely ban lead from all children's products.

The bill is, in some key respects, a major overreach by Democrats. It would, for example, raise the cap on the maximum penalties against manufacturers from the current $1.8 million to an absurd $100 million.

But the opposition to much of the bill from the administration, particularly CPSC's acting chairwoman, Nancy Nord, is equally daft. She rightly opposes the increase in maximum penalties, but inexplicably opposes the ban on lead in toys, as well as provisions intended to make it easier for the government to make public reports of faulty products and to protect industry whistle-blowers.

This is not an issue for unbending dogma on either side. Public safety is at stake.

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