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TURF LOBBYISTS CULTIVATE CONSUMER PRODUCT SAFETY COMMISSION

CPSC Depends on Artificial Turf Industry for Scientific and Enforcement Guidance

Posted on Apr 28, 2015

Washington, DC —The principal information the U.S. Consumer Product Safety Commission uses to assess the health effects of synthetic turf is supplied by industry lobbyists, according to internal records released today by Public Employees for Environmental Responsibility (PEER). Emails and other records obtained by PEER in a Freedom of Information Act (FOIA) lawsuit detail how these lobbyists are allowed closed-door briefings and other direct contacts with key CPSC staff assigned to investigate their products.

In response to a PEER filing, the CPSC declared on September 27, 2013 that it had ordered its Office of Compliance and Field Operations to undertake a "review and determination of whether any enforcement action is appropriate" for artificial turf playgrounds containing lead at levels well above legal limits for a children's product. More than a year later, CPSC would not answer requests for information about the status of that enforcement review. In February of this year, PEER filed a FOIA lawsuit.

The thousand plus pages that CPSC has released in response to that suit do not provide an answer as to the outcome of the enforcement review but do reveal the extent of the agency's reliance on industry:

- CPSC possesses no independent information on toxicity of synthetic playgrounds. The only agency sampling has been for lead but it has taken no action when unsafe lead levels are found;
- · After media reports of soccer goalies who have played for years on artificial turf contracting non-Hodgkin's lymphomas at an alarming rate, CPSC was briefed on the issue by the vice-president for marketing of a leading manufacturer; and
- · Industry representations to CPSC on voluntary standards to address chemical exposure of children in contact with these surfaces are exaggerated or untrue.

"These records depict a consumer watchdog which has learned to play dead too well," stated PEER Executive Director Jeff Ruch, noting that CPSC has not indicated when it will complete document production in this case. "While industry gets unfettered access, consumer complaints about excess lead get the run-around before they are forgotten altogether."

The attitude inside CPSC may be encapsulated by an exchange in which one staffer tested a green tarp and got "Lead and chrome results similar to artificial turf, 3000ppm Pb, 1800ppm Cr." By contrast, the legal limit for lead content in a children's products is 100 parts-per-million (ppm). The emailed response from the CPSC's chief field investigator for artificial turf was "don't chew on it."

"Congress imposed stricter standards for children's products because of their special vulnerability to chemical exposure," added Ruch, pointing out that experts maintain there is no safe level of lead exposure for children. "For years now, we have tried to engage the Commission without apparent success in examining products marketed as play surfaces for very young children containing illegally high levels of lead. The agency appears to be captured by the industry it is supposed to regulate."

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Review PEER FOIA lawsuit

Read request from CPSC legislative liaison for clarification on turf status

Look at CPSC lack of toxicity data

Note example of industry obfuscation with CPSC

View industry turf-cancer PowerPoint excerpts

Examine consumer complaints

See "don't chew on it" email exchange

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