



Consumer Safety Consultancy LLC

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September 18, 2020

[REDACTED]

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[REDACTED] :

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

This report [REDACTED]
[REDACTED] provides a review of the cautionary labeling required for certain toys under that Act. Specifically, I was asked to review the labeling for the Calico Critters® Yellow Labrador Twins. [REDACTED]

[REDACTED]
[REDACTED]

Qualifications

I have over 30 years of experience enforcing the standards and regulatory requirements under the authority of the statutes administered by the Consumer Product Safety Commission (CPSC). I was employed by the CPSC and performed most of my years of federal service in the Office of Compliance and Field Investigations until my retirement in October of 2018. Over the last eighteen years of my employment, I rose from the position of Associate Director of the Division of Regulatory Enforcement to the Director of the Division of Regulatory Enforcement. My role included supervising the enforcement of all regulations at the Commission which included the banning regulations and the method for identifying toys and other articles intended for children under three years of age that present choking, aspiration, or ingestion hazards because of small parts. I was responsible for overseeing product recalls, implementing corrective actions with the regulated industry,

interpreting regulations, providing guidance to regulated entities, and coordinating annual industry programs for efficient and consistent enforcement. Prior to assuming the Associate Director position, I held the position of senior compliance officer managing the compliance and enforcement activities under the FHSA, the Consumer Product Safety Act (CPSA), and the Poison Prevention Packaging Act (PPPA). I began my career at the Commission as a physical scientist in the Engineering Division and after three years transferred to the Office of Compliance to work in the enforcement of the standards under the Flammable Fabrics Act (FFA).

As Director of the CPSC's Division of Regulatory Enforcement I managed a staff of 20 compliance officers, set CPSC enforcement policy, provided consistent interpretations of CPSC-enforced statutes and regulations, and provided advice and guidance on those statutes and regulations to CPSC Commissioners and staff, other federal agencies, state government officials, and the regulated community and other stakeholders. The CPSC's Division of Regulatory Enforcement participates in the development of CPSC mandatory consumer product safety standards, conducts enforcement of all CPSC mandatory product safety standards and investigates the facts concerning reports submitted by manufacturers and others to the CPSC about products that fail to comply with mandatory product safety requirements or that contained potential product defects, as required by Section 15(b) of the Consumer Product Safety Act (CPSA). My many years of service at the CPSC, including my experience in enforcement of the CPSC's mandatory rules, gives me the expertise to express the opinions in this report.

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[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Yellow Labrador Twins – Labeling Discussion

The package holding the Yellow Labrador Twins is a rectangular box with a blister card hanger. The box portion holds the Calico Critters[®]. The front portion of the box has a clear plastic portion with heavy card stock at the top and bottom of the box encasing the clear panel. The card stock wraps to the back of the box. An Age recommendation of 3+ resides on the lower left corner of the box that holds the Yellow Labrador Twins Calico Critters[®].

The Yellow Labrador Twins are made of plastic with yellow flocking, glossy, black bead eyes, flocked brown nose, and are dressed in tiny removable flocked fabric garments with lace trim. The package also contains a small plastic baby bottle with nipple and a pacifier that are visible through the clear plastic panel. One Labrador is in a permanent kneeling position, the other dog is permanently in the seated position. The back of the box contains information about Calico Village, the manufacturer location, website address, and ASTM F963 conformance statement. The bottom of the box contains a paragraph about the twins providing their names and a little about their family, an item number, a bar code and an imprinted number E22G19.

[REDACTED]



The header card measures 1³/₄" x 2⁷/₈" for a surface area of 5.0 in² and is considered the principal display panel.

It is my assessment from the measurement of the statements and the coloring used in the display of the warnings, that the warning is prominent and conspicuous and is legible without manipulation of the container. The small parts that are included in the package are visible through the clear packaging

The warning is provided on three lines within a brown colored rectangle. The lettering of the warning statements is in amber font on a brown background. The word "Warning" is in uppercase font and appears to be

in bold. The statement of hazard – “Choking Hazard” is in uppercase font, with the other cautionary statements – “Small parts. Not for children under 3 years” - in mixed case font, as required by the regulation. The hazard triangle and the signal word measure $\frac{1}{16}$ ”, the hazard statement and other cautionary statements measure slightly less than $\frac{1}{16}$ ”. The background of the blister card appears to be grained to simulate wood grain and there is no competing printed material or graphic on the principal display panel. The rectangle bearing the warning statements is right justified on the panel on which it resides.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sincerely,

Mary F. Toro

Mary Toro
Consultant