

March 6, 2009

Todd Stevenson  
Office of Secretary  
U.S. Consumer Product Safety Commission  
Room 502  
4330 East West Highway  
Bethesda, MD 20814

**Re: *Consumer Product Safety Improvement Act of 2008***

Dear Mr. Stevenson:

The National School Boards Association (NSBA), representing over 15,000 local school boards through our state school boards associations, applauds your decision to delay the testing requirement on lead content in children's products, including books, until February 10, 2010. While this decision will allow the Commission to have more time to continue the dialogue with public schools, public school libraries and the book industries on how and whether children's books should be subject to the limit on lead content under the *Consumer Product Safety Improvement Act of 2008*, the requirement remains in effect – leaving local school districts vulnerable to costly litigation. Therefore, we request formal clarification regarding both enforcement and school district liability during this extended period.

As you are aware, the law requires all products geared to children under the age of 12 that are found to exceed the new lead limit to be banned beginning February 10, 2009. NSBA is concerned that the testing for these new lead-content requirements will be costly to the nation's public schools, and would impose tremendous burden when there has been no evidence of real threat or risk of lead toxicity found in paper-based books

As you continue to address enforcement and implementation issues, NSBA urges the Commission to exempt local school districts from the lead level requirements under the law; or at the very least, to establish a transition period that would enable public schools and libraries to meet the spirit and intent of the law without creating financial burdens on states and local communities in this dire economy and extreme reductions in their revenues.

We look forward to continued collaboration with the Commission. Questions concerning our request or our position should be directed to Reginald M. Felton, director of federal relations at 703-838-6782, or by e-mail, [rfelton@nsba.org](mailto:rfelton@nsba.org).

Sincerely,



Michael A. Resnick  
Associate Executive Director  
MAR: rf/kc  
G:\Hill\Letters\02.24.09\LeadContentinBooksLtr



*Excellence and Equity  
in Public Education  
through School Board  
Leadership*

---

**Office of Advocacy**

- *Barbara L. Bolas  
President*
- *Anne L. Bryant  
Executive Director*
- *Michael A. Resnick  
Associate  
Executive Director*