



Children's Literature Association

U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

17 December 2009

Dear Chairman Tenenbaum and the CPSC:

Since 1973, the Children's Literature Association has encouraged high standards of criticism, scholarship, research, and teaching in children's literature. We are writing to address the recent final rule by the Consumer Product Safety Council in regards to lead in children's books. While we await the Statement of Policy, we would like to address some concerns over the possible removal of certain children's books and materials from school and public libraries.

The Children's Literature Association is first and foremost interested in ensuring the safety of our children; however, we believe that the level of lead in children's books poses little harm to children. In a letter to the CPSC, the American Association of Publishers has stated that the lead found in children's books is virtually undetectable and consistently below the 100ppm limit the CPSC hopes to establish by 2011. Also, the CDC has stated that lead poses a threat to children only if it is ingested. According to Jay Depsey, a health communications specialist for the Center of Disease Control, "If that child were to actually start mouthing the book -- as some children put everything in their mouths -- that's where the concern would be. But on a scale of one to 10, this is like a 0.5 level of concern." Given the nature of some children's books, we agree, along with the AAP, that certain types of children's materials pose more of a threat than others. This threat, however, is still minimal. Certainly "toy books" are more likely to be chewed on than traditional children's books, but as yet there has been no comprehensive study to show how often young children chew books, or how much of the book is actually ingested upon chewing.

Given the fact that older books are unlikely to pose a health hazard, we are concerned about another danger: that of all readers losing access to books that are no longer in print. There are countless lesser known, yet valuable, titles that would be lost to libraries with the current CPSIA standards. For example, the CPSIA will affect the Educator Classic series, which ceased to be published in 1970. This series includes some titles that may be reprinted in other, later editions by different presses. However, the editions by Educator Classic have wide, annotated margins and crisp text as well as striking illustrations. Many other examples can be found on *The Common Room* blog, authored by a home-school teacher who is deeply saddened by the potential loss of *The Chesty Oak* by Kate Seredy. The book has been passed through generations of her family. In an email, she wrote: "I am not an emotional person, and it actually made me gasp with pain to think of the loss of this already too hard to find title." Her examples and ideas not only agree with, but expand upon the statements released by both The American Library Association and The American Association of Publishers.

We also think it is important to point out that many of the pre-1985 books are valuable both for their content and for the way that content is presented. Their removal would prevent scholars' access to books that show a progression of presentation format and illustration design and prevent cultural historians' access to primary sources that reveal much about the times in which the stories were produced.

In addition to the removal of important, out-of-print titles, the CPSIA also poses logistical issues for libraries in general and school libraries in particular. Librarians, teachers, and school administrators are unsure how to determine which books should be removed. Also, it is impossible to determine which books were printed before 1985 when those dates are not indicated within the book's pages. Purchasing records, when available, only indicate when a book was acquired, not when it was printed. For many the copyright date of a book is the safest way to determine a possible print date, and therefore books that were actually printed later may wind up being discarded unnecessarily.

The CPSIA also threatens the integrity and breadth of collections in libraries comprised of older resources. Claudia Reed from Follett Library Resources compiled data from over 800 Virginia schools. Her findings demonstrate that certain areas of the state rely on old material, most assumed to be printed before 1985. Most striking are the statistics for the Southwest Virginia region, an area that runs from the Tennessee border to deep in the Appalachian Mountains. The data show that the average copyright date for books in the high schools of this region is 1980. Elementary and middle schools fare only slightly better, with copyright date averages in the mid-1980s. In some extreme cases, books date back to the early 1960s. The concerns among librarians for this region include not only the removal of the books but also the funding needed to replace what could amount to a significant bulk of their collections. Currently, the Southwest region is drastically under-funded compared to more urban and affluent areas, whose collections' copyright averages range from the late 1980s to the early 1990s. While the Virginia statistics are just one example, we know that every state is facing critical budget cuts in education. We feel that it would be unfair, and economically irresponsible, to ask school systems to replace so much of their library collections.

As an organization, we feel that the purpose of the Consumer Product Safety Improvement Act of 2008 is noble and necessary; however, we do not want the act to incorrectly target materials that have not been scientifically proven to be dangerous. Nor do we wish to see the benefits of the act overshadowed by the loss of historical material and the potentially detrimental impact removing books can have on many public and school libraries. Finally, we wish to lend our support to previous statements by the American Library Association and the American Association of Publishers, and we ask that the Commission consider seriously the issues we have addressed regarding the inclusion of children's books in the CPSIA.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Rowe Fraustino".

Lisa Rowe Fraustino
President, Children's Literature Association
Associate Professor of English, Eastern Connecticut State University

With contributions by Kirsten Bartels, Grand Valley State University; Lois Rauch Gibson, Coker College; Margaret M. Murphy, Monroe Community College; Sarah Park, St. Catherine University; Matthew B. Prickett, Longwood University; Katharine Slater, University of California, San Diego; Victoria Ford Smith, Rice University